

JOURNALS OF  
SENATE AND ASSEMBLY

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EXTRA SESSION.

1916

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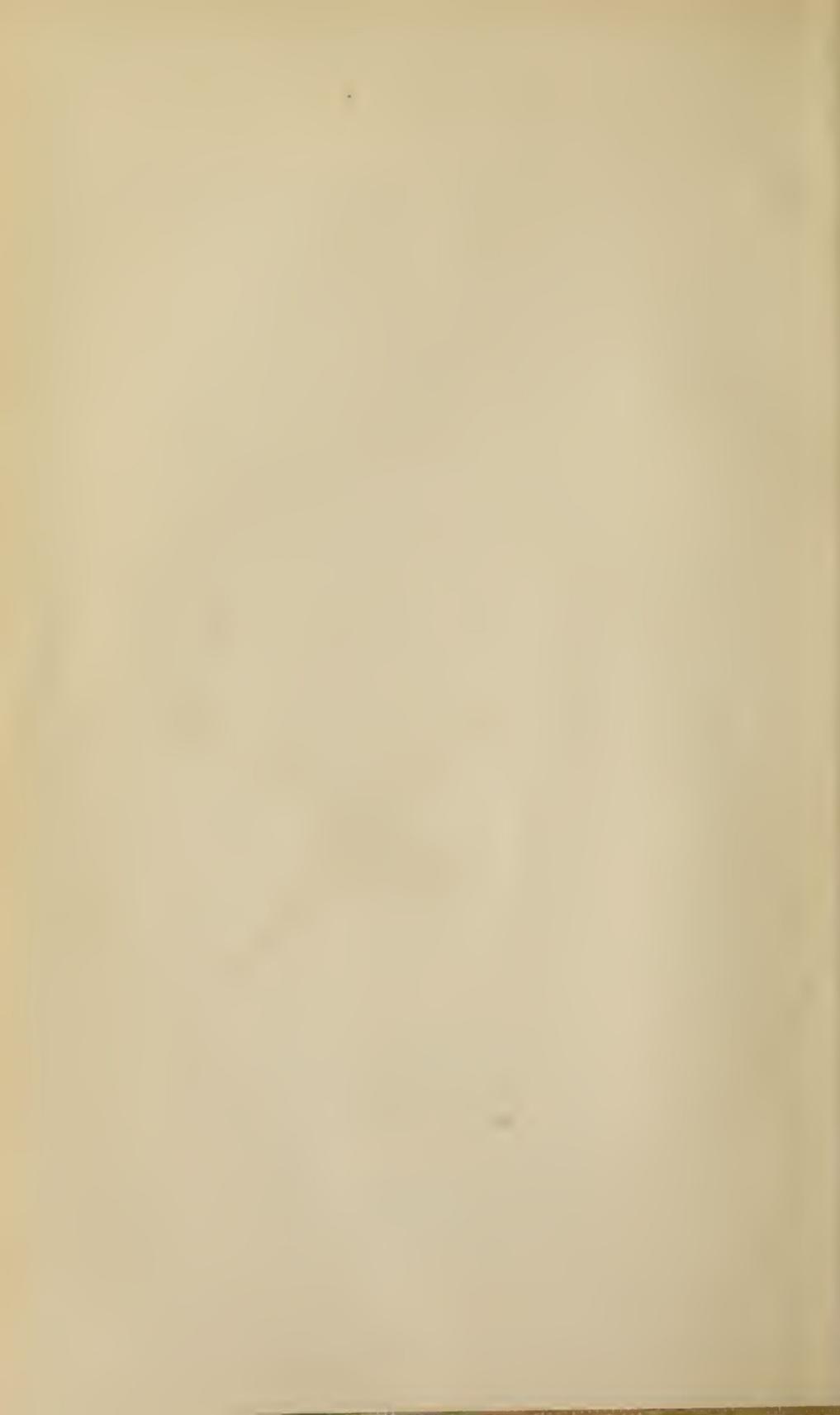


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# Journal of the Senate and Assembly

DURING THE

## Forty-first (extra) Session

OF THE

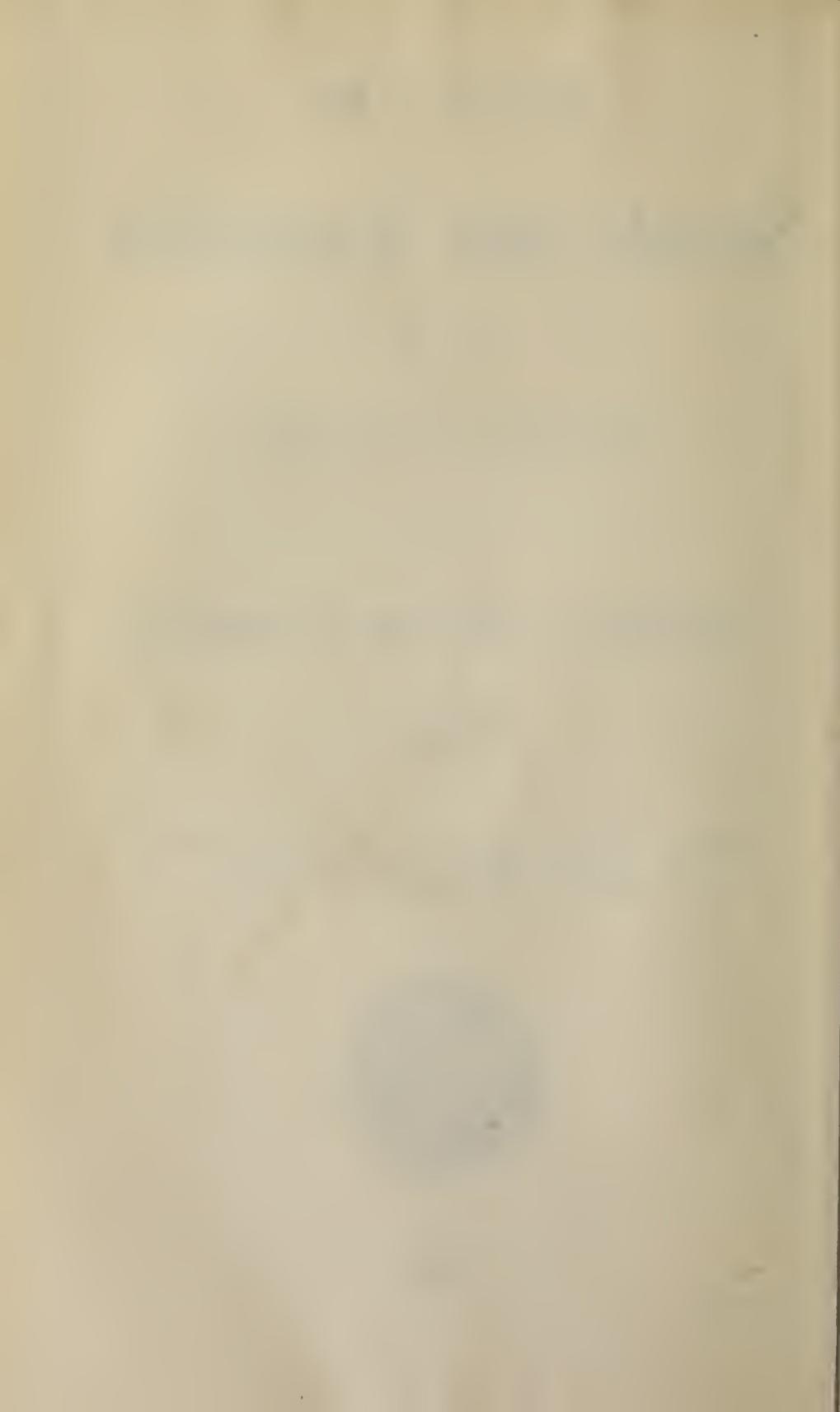
### Legislature of the State of California

# 1916

Began on Wednesday, January fifth, and ended on Tuesday,  
January eleventh, nineteen hundred sixteen



CALIFORNIA  
STATE PRINTING OFFICE  
1916



# CALIFORNIA LEGISLATURE—SENATE.

## FORTY-FIRST (EXTRA) SESSION.

### IN SENATE.

SENATE CHAMBER, SACRAMENTO, CAL.,

Wednesday, January 5, 1916.

The Senate met at 2:00 o'clock p.m., pursuant to the provisions of the proclamation of His Excellency, Hiram W. Johnson, Governor of the State of California, dated January 1st, 1916, convening the Legislature of the State of California on this day in extraordinary session.

Lieutenant Governor John M. Eshleman, President of the Senate, in the chair pursuant to the provisions of section 238, article II of the Political Code.

Pursuant to the provisions of section 237 of article II of the Political Code, Edwin F. Smith, Secretary of the Senate; Clifton E. Brooks, Minute Clerk and Thos. A. Brown, Sergeant-at-Arms, were present, and occupied their respective positions.

Lieutenant Governor John M. Eshleman now called the Senate to order. The roll was called and the following Senators answered to their names:

Senators Ballard, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Pnrkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—35.

Quorum present.

### PRAYER.

Prayer was offered by Rev. Father Henry I. Stark, Chaplain of the Senate.

### PROCLAMATION OF THE GOVERNOR.

The President directed the Secretary, Edwin F. Smith, to read the proclamation by the Governor convening the Legislature in extraordinary session.

Whereupon the Secretary read the following proclamation:

### PROCLAMATION BY THE GOVERNOR CONVENING THE LEGISLATURE IN EXTRAORDINARY SESSION.

#### EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA.

WHEREAS, An extraordinary occasion has arisen and now exists, requiring that the Legislature of the State of California be convened.

Now, therefore, I HIRAM W. JOHNSON, Governor of the State of California, by virtue of the power and authority in me vested by section 9 of article V of the Constitution, do hereby convene the Legislature of the State of California to meet and assemble in extraordinary session, at Sacramento, California, on Wednesday, the fifth day of January, one thousand nine hundred and sixteen, at two o'clock p.m. of that day for the following purposes and to legislate upon the following subjects, to wit:

1. To amend the Direct Primary Law relating to nominations of candidates for public office, approved June 16, 1913, so that the same shall provide for the nomination by electors, political parties and organizations of electors of candidates for public office in such manner as to conform to other existing election laws, and thereby enable electors registered pursuant to such existing laws to participate in nominating such candidates thereunder.

2. To amend sections 3, 6, and 9 of the Presidential Primary Act, approved April 28, 1915, so that electors registered pursuant to existing laws may participate in nominating candidates for delegates thereunder; and to add a new section to such act calling and providing for a presidential primary election to be held on the second day of May, 1916.

3. To authorize the Board of Trustees of the San Francisco State Normal School to select a new site for said school upon the lands heretofore and now occupied or owned by the Panama-Pacific International Exposition, or any corporation representing or acting for or in conjunction with said Exposition, and, in event of such selection of said new site, provide for and authorize the sale or exchange of the present site of said normal school and the disposition of improvements thereon.

To provide for and authorize said Board of Trustees to acquire by purchase, gift, condemnation, or otherwise all necessary lands, buildings, improvements, and equipment for such school, and, for this purpose, to authorize the condemnation of publicly or privately owned lands and improvements; to provide for and authorize the city and county of San Francisco to abandon and close streets, or portions of streets, within and about the site so selected and to transfer title thereto for the use of said State Normal School; and to provide for and authorize the use, in connection with such site, of State lands adjacent thereto.

To provide for the disposition of any proceeds of the Panama-Pacific International Exposition accruing to the State from the Panama-Pacific International Exposition Company through the operation of said Exposition, or otherwise, or of any money or property that may be due to or be given to the State by said Exposition Company or its directors, to make appropriations thereof, and to authorize the Board of Trustees of the State Normal School, or any official or officials of the State, to accept property for or on behalf of the State in full or partial settlement of the claims of the State to its proportion of such proceeds, or money or property.

4. To consider and act upon an amendment to the act of the Legislature of the State of California entitled "An act giving and granting to the Board of Park Commissioners of the city of San Diego the right to use and the right to authorize the use of Balboa Park in said city for exposition purposes," approved March 24, 1911, extending its provisions so as to authorize and provide for the use of said Balboa Park for exposition purposes during the years 1916 and 1917; and to do what may be deemed appropriate or necessary in relation to the Panama-California International Exposition of San Diego.

In witness whereof, I have hereunto set my hand and caused to be affixed hereunto the Great Seal of the State of California, at my office in the State Capitol this first day of January, in the year of our Lord one thousand nine hundred and sixteen.

[SEAL]

HIRAM W. JOHNSON, Governor.

Attest: FRANK C. JORDAN, Secretary of State.  
By FRANK H. CORY, Deputy.

\* \* \* RESOLUTIONS.

The following resolutions were offered:

By Senator Thompson:

*Resolved*, That the Senate do now organize and proceed to elect the officers and employees of the Senate for this extra session.

Resolution read, and on motion adopted.

Also by Senator Strobridge:

*Resolved*, That Honorable N. W. Thompson be and he is hereby elected President pro tem. of the Senate; that Edwin F. Smith be and he is hereby elected Secretary of the Senate; that Thomas A. Brown be and he is hereby elected Sergeant-at-Arms of the Senate; that Clifton E. Brooks be and he is hereby elected Minute Clerk of the Senate; that Reverend Father Henry L. Stark be and he is hereby elected Chaplain of the Senate.

Resolution read.

Senator Strobridge moved that the resolution be adopted.

The roll was called and the resolution adopted by the following vote:

AYES—Senators Ballard, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, Lyon, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Tyrell, and Wolfe—31.

NOES—None.

Whereupon the President declared each person named in the foregoing resolution elected.

**Also by Senator Carr:**

*Resolved.*, That the standing rules of the forty-first regular session be and the same are hereby adopted as the rules of the Senate at this special session, except that Rule 8 be amended to read as follows:

"8. The standing committees of the forty-first regular session shall be the standing committees of this extra session."

Resolution read.

Senator Carr moved that the resolution be adopted.

The roll was called and the resolution adopted by the following vote:

**AYES**—Senators Ballard, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Lyon, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbrueck, Thompson, Tyrrell, and Wolfe—33.

**NOES**—None.

**STANDING RULES OF THE SENATE.**

*Time of Sessions.*

Rule 1. The sessions of the Senate shall be daily (Sundays excepted), beginning at 10 o'clock a.m. and commencing on the second day of the session following the constitutional recess; a recess shall be taken at 12:30 p.m. to 2 p.m. unless otherwise ordered by vote of the Senate.

*Calling to Order.*

2. The President, President pro tem., or senior member present, shall call the Senate to order at the hour stated, and if a quorum be present proceed with the order of business.

*Order of Business.*

3. Order of business:

1. Roll Call.
2. Prayer by the Chaplain.
3. Reading and approval of the Journal of the Preceding Day.
4. Presentation of Petitions.
5. Messages from the Assembly.
6. Messages from the Governor.
7. Reports of Standing Committees.
8. Reports of Select Committees.
9. Motions, Resolutions, and Notices.
10. Introduction and First Reading of Bills.
11. Consideration of Daily File.
12. Unfinished Business.
13. Special Order of the Day.

Reports from the Committee on Engrossment and Enrollment shall at all times be in order; *provided*, that messages from State officers, other than the Governor, and from the Assembly, may, on motion of any Senator, be considered at any time.

*President—His Powers and Prerogatives.*

4. The rooms, passages, and buildings set apart for the use of the Senate shall be under the control and direction of the President of the Senate, and he shall have the control and direction of the journals, papers, and bills of the Senate. He shall see that all officers of the Senate perform their respective duties, and may assign places to properly accredited newspaper representatives.

*President May Order Lobbies Cleared.*

5. In case of a disturbance or disorderly conduct in the lobbies, the President (or Chairman of the Committee of the Whole) shall have power to order the same cleared.

*President May Call Senator to Chair.*

6. The President shall have the right to name any Senator to perform the duties of the chair, who shall be vested, during such time, with all the powers of the President; but such substitute shall not lose the right of voting on any question while so presiding.

*Appointment to Committees.*

7. All standing committees of the Senate shall be named by the President of the Senate unless otherwise ordered, and the first named shall be the chairman thereof. All other committees shall be appointed in such manner as the Senate shall determine.

*Standing Committees.*

8. The standing committees of the forty-first regular session shall be the standing committees of this extra session.

*President pro tem.—His Powers and Privileges.*

9. The President pro tem. shall, in the absence of the President, take the chair and call the Senate to order at the hour of the meetings of the Senate, and have the same power as the President; but the President pro tem. shall vote only as any other member of the Senate.

*Duties of Secretary.*

10. It shall be the duty of the Secretary of the Senate to attend every session, call the roll, read all bills, amendments, resolutions, and all papers ordered read by the Senate or the presiding officer.

2. To superintend all copying and work to be done for the Senate. To have supervision over all the attaches and employees of the Senate. To assign, reassign or transfer all attaches or employees to their respective duties. To certify and transmit to the Assembly all bills, joint and concurrent resolutions, constitutional amendments and papers requiring the concurrence of the Assembly, immediately after their passage or adoption by the Senate.

3. To keep a correct journal of the proceedings of the Senate.

4. To notify the Assembly of the action by the Senate on all matters originating in the Assembly, and requiring action on the part of the Senate.

5. To permit no papers or records belonging to the Senate to be taken out of its custody otherwise than in the regular course of business.

*Records or Papers Not to Be Taken From Desk.*

11. The Secretary of the Senate shall not permit any records or papers to be taken from the desk, or out of his custody, by any person except a chairman of a committee; but he shall deliver any bill or paper to be printed to the Superintendent of State Printing, and all bills ordered engrossed or enrolled to the Committee on Engrossment and Enrollment, and take receipts therefor.

*Sergeant-at-Arms.*

12. A Sergeant-at-Arms shall be elected, to hold his office during the pleasure of the Senate, whose duty it shall be to attend the Senate during all of its sittings, to execute the commands of the Senate from time to time, together with all such process issued by authority thereof, as shall be directed to him by the President. The Sergeant-at-Arms is authorized to arrest for contempt all persons outside the bar, or in the gallery, found in loud conversation, or otherwise making a noise to the disturbance of the Senate. The actual expenses of the Sergeant-at-Arms for every arrest, for each day's custody and release, and the traveling expenses for himself and special messenger going and returning shall be paid out of the contingent fund, and no other fees shall be paid him beyond his per diem. It shall also be the duty of the Sergeant-at-Arms to keep the accounts for pay and mileage of Senators.

*Printed Bills, Etc., Must Be Placed on Desks.*

13. The Sergeant-at-Arms shall place copies of all bills, joint and concurrent resolutions, constitutional amendments, and journals and histories, when printed, on the desks of Senators, at least one hour previous to the opening of session.

*Gatekeeper.*

14. It shall be the duty of the gatekeeper to prevent all persons, except Senators, ex-Senators, members of the Assembly, State officers of the two houses, and such accredited newspaper representatives as have seats assigned to them by the President, from coming within the bar of the Senate, unless upon written invitation of the President or a Senator; *provided*, that no visitor shall be allowed upon the floor while the Senate is in session.

*Lobbying.*

15. No person engaged in presenting to the Senate or any of its committees any business, claim, or legislation, shall be permitted to engage in such business in the Senate Chamber or be permitted on the floor of the Senate at any time the Senate is in session. Any person transgressing this rule shall be removed from the floor of the Senate and shall be debarred from the privilege of the floor during the remainder of the entire session. The President and President pro tem. are charged with the enforcement of this rule, and this rule can not be suspended except by a two-thirds vote of the entire Senate.

*Attendance, Duties and Obligations of Senators.*

16. No Senator shall absent himself from attendance upon the Senate without leave first obtained. A less number than a quorum of the Senate is hereby authorized to send the Sergeant-at-Arms, or any other person, for any and all absent Senators at the expense of such absent Senators, respectively, unless such excuse for non-attendance as shall be made to the Senate, when a quorum is convened, shall be judged sufficient, and in that case the expense shall be paid out of the Contingent Fund of the Senate; and this rule shall apply as well to the first convention of the Senate, at the legal time of meeting, as to each day of the session after the hour has arrived to which the Senate stood adjourned. The President or Acting President of

the Senate, or less than a quorum present, shall have the power to issue process directed to the Sergeant-at-Arms, or to any other person, to compel the attendance of Senators absent without leave. Any Senator who shall refuse to obey such process, unless sick or unable to attend, shall be deemed guilty of contempt of the Senate, and the Sergeant-at-Arms, or any other person, to whom such process may be directed, shall have power to use such force as may be necessary to compel the attendance of such absent Senator, and for this purpose he may command the force of the county, or of any county in the State.

*Decorum and Debate.*

17. 1. When a Senator desires to address the Senate he shall rise in his place, address the President, and when recognized he shall proceed to speak.

2. No Senator shall speak more than twice in any one debate on the same day, and at the same stage of the bill, without leave; and Senators who have once spoken shall not again be entitled to the floor (except for explanation) so long as any Senator who has not spoken desires to speak.

3. No Senator shall be interrupted when speaking, and no question shall be asked him except those through the presiding officer.

4. The author of a bill, motion, or resolution shall have the privilege of closing the debate.

*Senator Entitled to Floor.*

18. When two or more Senators arise at the same time to address the Senate, the presiding officer shall designate the Senator who is entitled to the floor.

*Senator, When Called to Order, Must Sit Down.*

19. When a Senator shall be called to order he shall sit down until the President shall have determined whether he is in order or not; and every question of order shall be decided by the President, subject to an appeal to the Senate by any Senator. If a Senator be called to order for words spoken, the objectionable language shall immediately be taken down in writing by the Secretary of the Senate.

*Voting.*

20. When a Senator declines to vote on a call of his name he shall be required to assign his reasons therefor, and having assigned them, the presiding officer shall submit the question to the Senate: "Shall the Senator, for the reasons assigned by him, be excused from voting?" which shall be decided without debate. And these proceedings shall be had after the roll call and before the result is announced, and any further proceedings in reference thereto shall be after such announcement.

*Printing.*

21. Fifteen hundred copies of all bills shall be printed; and the Sergeant-at-Arms shall be required to certify to the reception by the Senate of all printed matter, and the quantity. One copy of each bill or paper printed by order of the Senate shall be delivered to each Senator at his desk, and the balance shall be distributed according to law.

*Number of Copies to be Printed.*

22. Seven hundred and fifty copies shall be printed of each document or other matter ordered, unless the Senate especially directs a different number.

*Number of Copies to be Printed of Journal.*

23. The Superintendent of State Printing shall print one thousand copies of the Journal of each day's proceedings of the Senate, and one copy of the same shall be placed upon each Senator's desk, and a sufficient number sent to the Assembly to supply each Assemblyman with one copy; he shall also print a sufficient number of copies properly pagged, to bind in book form as the Journal of the Senate, at the end of the session, as required by law.

*What Shall be Printed in the Journal.*

24. Messages from the Governor (other than biennial messages and inaugural addresses), joint and concurrent resolutions and constitutional amendments, when adopted, and the titles of all bills, joint and concurrent resolutions and constitutional amendments, when acted upon by the Senate shall be printed in the Journal in full.

*Record of Votes and Petitions.*

25. Every vote and a brief statement of the contents of each petition, memorial, or paper presented to the Senate shall be entered in the Journal.

*When Not in Committee of the Whole, Proceedings Must be Entered in the Journal.*

26. The proceedings of the Senate, when not acting as a Committee of the Whole, shall be entered in the Journal as concisely as possible, care being taken to record a true and accurate account of the proceedings.

*Printing for the Senate.*

27. The Superintendent of State Printing shall not print for the use of the Senate any matter other than provided by law, unless upon a written order signed

by the Secretary. The Secretary may, when necessity requires, order from the State Printer such printing as he deems necessary to be printed in advance of the regular order of business, under a specially prepared written order, to be known as a "Rush Order."

#### *Introduction and Reading of Bills.*

28. 1. A Senator desiring to introduce a bill shall rise in his place and address the President, and upon being recognized shall present the bill. The title shall be announced by the Secretary, the bill shall be read the first time and thereupon referred by the President to a standing committee. No bill shall be introduced in the Senate by any member after the constitutional recess without the consent of three-fourths of the members of the Senate, nor shall more than two bills be introduced by any one member after such recess. Every bill shall be read on three several days previous to its passage (unless, in case of urgency, two-thirds of the Senate shall by vote of ayes and noes, dispense with this provision), and the last reading shall be at length. The President shall give notice, at each of the second and third readings, which reading it is, and no bill shall be read at either reading until the Senate has so determined by a vote (should any Senator object to such reading). Joint and concurrent resolutions shall be treated the same as bills, provided they shall be read but once, unless the Senate, by a majority vote of all the Senators present, otherwise direct; and provided, further, that joint and concurrent resolutions and constitutional amendments shall not be deemed bills within the meaning of section 2 of article IV of the Constitution and shall not be referred to the Committee on Introduction of Bills and shall not require a vote to authorize their introduction.

2. The titles of all bills, joint and concurrent resolutions, and constitutional amendments introduced shall be printed in the Journal.

3. When a bill amending a code section is introduced, the author of the bill shall cause the new matter, if any, to be underscored, and the place in the bill where portions of the law are proposed to be omitted, if any, to be indicated by closed brackets; provided, however, that where the subject consists of an entirely new section the words thereof need not be underscored, and when any bill introduced repeals an existing law in whole the matter repealed need not be indicated.

All bills reported favorably or for consideration, if reported with amendments, shall have the new matter, if any, underscored, and the place of omission of parts of the law proposed to be omitted, if any, shall be indicated by brackets. All bills reported with amendments shall be immediately reprinted.

All matter underscored in the draft or amendment of any bill shall be printed by the Superintendent of State Printing in italics, and all brackets shall be reproduced.

#### *Order of Engrossing and Enrolling Bills.*

29. All bills ordered engrossed shall be delivered by the Secretary of the Senate to the Committee on Engrossment and Enrollment or to the clerk of the committee and a receipt in writing taken therefor, and all said bills shall be engrossed in the order of their receipt by the committee or its clerk. All Senate bills shall, after their final passage by, and receipt from the Assembly, be delivered by the Secretary of the Senate in the order of their receipt from the Assembly, to the Committee on Engrossment and Enrollment or its clerk and a receipt in writing taken therefor; and said bills shall be enrolled in the order of their receipt from the Secretary of the Senate.

#### *Engrossed Bills to Be Examined and Reported.*

30. All bills, amendments, and resolutions, after being engrossed, in pursuance of the order of the Senate, shall be carefully examined and reported back by the Committee on Engrossment and Enrollment; the engrossed copy to be transmitted to the Assembly with proper endorsements, and the original retained by the Senate.

#### *Disposition of Assembly Bills.*

31. When an Assembly bill has been received by the Senate, with a message announcing that it has passed the Assembly, such bill shall be read the first time and be referred by the President to a standing committee; provided, however, that when an Assembly bill is received, the text of which is stated by a member to be identical with that of a Senate bill, which has already been considered and reported by a standing committee of the Senate, such Assembly bill shall be referred to the Committee on Engrossment and Enrollment for comparison, which committee shall report without delay, whether or not such bill is identical with the Senate bill. If reported identical, such Assembly bill shall be substituted for the Senate bill, shall take its place on the second-reading file and be considered as having received the same committee recommendation as the Senate bill; provided, that the fact that the bills are identical shall be entered in the journal. Such Senate bill shall thereupon be placed upon the file of unfinished business.

#### *Reference of Bills to Finance Committee.*

32. All bills appropriating money from any fund shall be referred to the Committee on Finance before being read the second time.

*Committee Amendments—How Made.*

33. When amendments to a bill are reported by a committee, the clerk of such committee shall prepare three copies of amendment, one to go with the bill to the Superintendent of State Printing, one to the Minute Clerk, and one to the Secretary of the Senate.

*Committee—When to Report.*

34. All committees shall act upon bills referred to them as soon as practicable, and when acted upon each bill shall be reported back to the Senate forthwith, and the chairman of each committee is charged with the observance of this rule; *provided*, that the Senate may at any time, by a majority vote, recall a bill from any committee.

*Standing Committee, Quorum of—What Constitutes.*

35. Each standing committee shall determine its own quorum; *provided*, that not less than one-third of the number of members constituting such committee shall in any case constitute such quorum.

*Leave of Absence to Committee.*

36. When leave of absence shall be granted to any committee, special or standing, to visit public buildings or institutions, or for any other purpose, such leave shall be granted only by two-thirds vote, and no expenses or mileage of attaches shall be allowed.

*Claims on Contingent Fund Must Go to Committee on Contingent Expenses.*

37. No claim shall be paid out of the Contingent Fund of the Senate until the same shall have been referred to and reported on by the Committee on Contingent Expenses.

*Executive Communications and Nominations to Committee.*

38. When executive communications or nominations shall be sent by the Governor to the Senate for their confirmation, the same shall be referred to the Committee on Rules, unless otherwise ordered by the Senate, which motion shall be determined without debate.

*The General File, Its Hours—Special Order of Bills on File.*

39. The General File shall be the special order for each day between such hours as the Senate may determine, unless sooner disposed of; but no bill shall lose its place upon the file by expiration of the time or by adjournment of the Senate while it is under consideration.

*Bills Passed on File Placed at Foot of File.*

40. When bills have been passed on file for the second time they must be placed at the foot of the file in their regular order, unless otherwise ordered by the Senate.

*Consideration of Bills.*

41. All bills, after the second reading (if the same be not committed, then upon being reported), shall be placed upon the general file and shall be taken up for consideration and passage in the order of their being placed on file.

*Order of Questions on Motion to Refer.*

42. When a resolution shall be offered, or a motion made to refer any subject, and a different committee shall be proposed, the question shall be taken in the following order:

1. The Committee of the Whole Senate.
2. A Standing Committee.
3. A Select Committee.

*Order of Questions Under Debate.*

43. When a question is under debate, no motion shall be received but the following privileged questions, which shall have precedence in the following order:

1. To adjourn.
2. For a call of the Senate.
3. To lay on the table.
4. To postpone to a day certain.
5. To commit.
6. To amend.
7. To postpone indefinitely.

*Motion Not to be Debated Until Seconded and Announced.*

44. No motion shall be debated until the same be seconded and distinctly announced by the President; and it shall be reduced to writing if desired by the President or any Senator, and read by the Secretary, before the same shall be debated.

*Reading of a Paper, if Objected to, Determined Without Debate.*

45. When the reading of a paper (except a petition) is called for, and the same is objected to by any Senator, the question shall be determined by a vote of the Senate.

*Amendments and Substitutes—When in Order.*

46. Substitutes may be offered at any time when a bill or resolution is open to amendment, previous to engrossment; and when adopted shall take the place of the original bill or resolution, and shall be open to amendment.

*Amendments and Substitutes—Must be germane.*

47. A substitute or amendment must relate to the same subject as the original bill, resolution or constitutional amendment under consideration.

*Least Sum and Shortest Time in Filling Blanks.*

48. In filling up blanks, the least sum or number and the shortest time shall be put first.

*Constitutional Amendments and Bills Requiring a Two-thirds Vote May be Amended by a Vote of Majority of Those Voting.*

49. A constitutional amendment or bill requiring a vote of two-thirds of the members elected to the Senate for final adoption or passage may be amended by a majority of those voting.

*Notice of Reconsideration.*

50. On the day succeeding that on which a final vote on any bill, concurrent or joint resolution, or constitutional amendment has been taken, said vote may be reconsidered on motion of any Senator; *provided*, notice of intention to move such reconsideration shall have been given on the day on which such final vote was taken, by a Senator voting with the prevailing side; and it shall not be in order to reconsider on the day on which such final vote was taken. Said motion for reconsideration shall have precedence over every other motion, except a motion to adjourn. It shall require twenty-one votes to carry any motion to reconsider the vote by which any bill, concurrent or joint resolution has been passed or defeated, and twenty-seven votes to carry any motion to reconsider the vote by which any constitutional amendment has been passed or defeated. Notice of reconsideration shall not be in order on the day preceding the last day of the session.

*Reconsideration of Bills Sent to Assembly.*

51. When a bill, resolution, amendment, order or message upon which a vote has been taken shall have gone out of the possession of the Senate and been communicated to the Assembly, a motion to reconsider shall be preceded by a motion to request the Assembly to return the same, which last-named motion shall be acted upon immediately and without debate, and if determined in the negative, shall be a final disposition of the motion to reconsider.

*Secretary. Upon Notice of Reconsideration, Not to Report Bill to Assembly.*

52. If a Senator gives notice that he intends to move a reconsideration, the Secretary shall not transmit the bill, concurrent or joint resolution, or constitutional amendment to the Assembly till the reconsideration is disposed of, or the time for moving the same has expired, unless the bill or resolution has already been transmitted to the Assembly.

*Motion to Reconsider May Be Debated.*

53. A Senator, after a notice to reconsider is given, as provided in Rule 50, may, at the reconsideration thereof, present the main question in his argument thereon, and the same may be debated by the Senate provided that the subject-matter is debatable.

*Amendment to Original Question.*

54. 1. An amendment may be laid on the table without prejudice to the bill. When an amendment proposed to any pending measure shall be laid on the table, it shall not carry with it or prejudice such measure.

2. If the question in debate contains several propositions, any Senator may have the same divided; except a motion to strike out and insert shall not be divided. The rejection of a motion to strike out and insert one proposition shall not prevent a motion to strike out and insert a different proposition, nor shall it prevent a motion to simply strike out, nor shall the rejection of a motion to strike out prevent a motion to strike out and insert; but pending a motion to strike out and insert, the part to be stricken out and the part to be inserted shall each be regarded, for the purpose of amendment, as a question. Motions to amend the part to be stricken out shall have precedence.

*Final Question on Second Reading of Bill—No Amendment on Third Reading, but May Commit.*

55. The final question on the second reading of every bill originating in the Senate shall be: "Shall the bill be engrossed?" And no amendment shall be received for discussion at the third reading of any bill; but it shall at all times be in order, before the final passage of such bill, to move its commitment under special instructions to amend.

*Special Orders.*

56. Any subject may, by vote of a majority of those voting, be made a special order, and when the time fixed for its consideration arrives, the presiding officer shall lay it before the Senate.

*Form of Previous Question—Call of Senate.*

57. The previous question shall be put in the following form: "Shall the question be now put?" It shall only be admitted when demanded by a majority of the Senators present upon division; and its effect shall put an end to all debate except that the author of the bill or the amendments shall have the right to close, and the question under discussion shall thereupon be immediately put to a vote. On a motion for the previous question prior to a vote being taken by the Senate, a call of the Senate shall be in order.

*Ayes and Noes: Members Must Answer—No Vote After Announcement of Vote.*

58. When the ayes and noes shall be called for by three members present, every member within the bar of the Senate at the time the question was put shall declare openly, and without debate, assent or dissent to the question. In taking the ayes and noes, and upon the call of the Senate, the names of the Senators shall be taken alphabetically. When the ayes and noes shall be taken upon any question in pursuance of this rule, no Senator shall be permitted, under any circumstances whatever, to vote after the announcement of the vote by the presiding officer.

*Rules in Senate and Committee of the Whole.*

59. The rules of the Senate shall be observed in Committee of the Whole, so far as may be applicable, except limiting the number of times a Senator may speak, and except that the ayes and noes shall not be taken.

*Suspending or Changing Rules.*

60. No standing rules or order of the Senate shall be rescinded or changed without a vote of two-thirds of the entire Senate, and one day's notice being given of the motion therefor: but a rule or order may be suspended temporarily by a vote of two-thirds of the members of the Senate, except that portion of Rule 29, relating to the order of enrolling bills. All proposed amendments to these rules shall, upon presentation, be referred to the Committee on Rules without debate.

*Executive Session.*

61. When a motion is adopted to close the doors of the Senate, on the discussion of any business, which may, in the opinion of the Senate, require an executive session, the President shall require all persons, except the Senators, President of the Senate, Secretary and Sergeant-at-Arms to withdraw and during the discussion of said business, the doors shall remain closed. Every Senator and officer present shall keep secret all matters and proceedings concerning which secrecy shall be enjoined by order of the Senate.

*Messengers. When Introduced.*

62. Messengers may be introduced at any stage of business except while a question is being put, while the ayes and noes are being called, while ballots are being counted, or while a Senator is addressing the Senate.

*Smoking.*

63. No smoking shall be allowed within the Senate Chamber.

*Leaves of Absence of Members of the Senate Visiting Public Institutions.*

64. No leave of absence shall be granted any committee, special or standing, to visit any public institutions of the State or for any other purpose. Whenever any committee shall report to the Senate that it is desirable that such committee receive information concerning any public institution, the Senate may by a two-thirds vote of all its members, grant a leave of absence to not more than three members of such committee, to be designated by the Chairman thereof. Application for a leave of absence of such members of a committee shall be made to the Senate in writing by the Chairman thereof, and such application shall give the name of the institution or institutions to be visited and briefly recite the occasion and necessity for visiting the same, together with the names of the committeemen designated for that purpose. Such application shall immediately, and without debate, be referred to the Committee on Rules, with instructions, to report upon the same on the next legislative day. Said members shall be allowed their actual expenses.

*Cases Not Provided for, Robert to Govern.*

65. In all cases not provided for by these rules, the Senate shall be governed by the laws and practices as laid down in Robert's Rules of Order.

## RESOLUTIONS—(RESUMED).

The following resolutions were offered:

By Senator Campbell:

*Resolved.* That the Secretary of the Senate is hereby directed to notify the Assembly that the Senate is now duly organized and ready to proceed to the business of the State, having elected the following statutory officers:

President pro tem.	Hon. N. W. Thompson
Secretary of the Senate	Edwin F. Smith
Sergeant-at-Arms	Thos. A. Brown
Minute Clerk	Clifton E. Brooks
Chaplain	Rev. Father Henry I. Stark

Resolution read, and on motion adopted.

Also by Senator Cogswell:

*Resolved.* That a committee of three Senators be appointed by the President of the is now ready for business, and to receive any communication he may desire to make.

Resolution read, and on motion adopted.

## APPOINTMENT OF COMMITTEE.

In accordance with the above resolution the President of the Senate appointed Senators Cogswell, Ballard, and Slater, as a committee from the Senate to wait upon the Governor.

## APPOINTMENTS BY SECRETARY.

The following communication was received and read:

SACRAMENTO, January 5, 1916.

*To the President and Members of the Senate of the State of California:*

I have the honor to inform you that I have this day appointed J. W. Kavanagh to the position of Assistant Secretary and Clerk of the Committee on Printing at a per diem of \$9.00 and J. A. Miller to the position of Assistant Secretary at a per diem of \$7.00 and respectfully ask the consent of the Senate thereto.

EDWIN F. SMITH, Secretary.

Senator Thompson moved that the appointments by the Secretary be confirmed by the Senate.

The question being on the confirmation of the appointments.

The roll was called, and the appointments confirmed by the following vote:

AYES—Senators Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cohn, Crowley, Duncan, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Lyon, Mott, Owens, Purkitt, Rush, Scott, Shearer, Strobridge, Stuckenbruck, Tyrrell, and Wolfe—29.

NOES—None.

## APPOINTMENT BY SERGEANT-AT-ARMS.

The following communication was received and read:

SACRAMENTO, January 5, 1916.

*To the President and Members of the Senate of the State of California:*

I have the honor to inform you that I have this day appointed Mr. James B. Newsom to the position of Bookkeeper to the Sergeant-at-Arms, and respectfully ask the consent of the Senate thereto.

THOMAS A. BROWN, Sergeant-at-Arms.

Senator Strobridge moved that the appointment by the Sergeant-at-Arms be confirmed by the Senate.

The question being on the confirmation of the appointment.

The roll was called, and the appointment confirmed by the following vote:

AYES—Senators Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cohn, Crowley, Duncan, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Lyon, Mott, Owens, Purkitt, Rush, Scott, Shearer, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—30.

NOES—None.

#### LEAVE OF ABSENCE.

Senator Beban was, on motion of Senator Crowley, granted leave of absence for this day.

#### RECESS.

At two o'clock and eighteen minutes p.m., on motion of Senator Thompson, the President declared the Senate at recess until two o'clock and thirty minutes p.m.

#### RECONVENED.

At two o'clock and thirty minutes p.m. the Senate reconvened.

Lieutenant Governor John M. Eshleman, President of the Senate, in the chair.

Secretary Edwin F. Smith at the desk.

#### REPORT OF COMMITTEE TO WAIT UPON THE GOVERNOR.

Senator Cogswell as chairman of the committee appointed from the Senate to wait upon the Governor and inform him that the Senate was organized and ready for business reported that the said committee had performed the duty assigned to it and that the Governor would shortly transmit a message to the Senate.

#### MESSAGE FROM THE GOVERNOR.

The following message from the Governor was read and ordered printed in the Journal:

**Message of Governor Hiram W. Johnson to the Legislature of the State of California, in Extraordinary Session, January 5, 1916.**

EXECUTIVE DEPARTMENT.

STATE OF CALIFORNIA.

*To the Senate and Assembly:*

Under the power vested in me by the Constitution I have duly issued a call for an extraordinary session of the Legislature and have convened you for three specific purposes:

1. To amend the election laws of the State as specifically set forth in subdivisions 1 and 2 of the call;
2. To take such action as you may deem appropriate in reference to the San Francisco Normal School; and
3. To pass such laws as you deem essential in relation to the San Diego Exposition.

#### 1. THE ELECTION LAWS.

I take it that you are familiar with the condition, at once contradictory and confusing, of the election laws of the State, and the necessity for remedial legislation. At the last session of the Legislature, in 1915, four laws relating to elections were passed and these four constituted a harmonious and complete system. Against two of these laws the referendum was invoked, and these two measures popularly designated

the non-partisan bills, were, on the 26th day of October last, defeated. The two measures thus submitted to the people by referendum and rejected by the people were the bill relating to primary elections and that prescribing the form of ballot at the final election. The two bills, which were not attacked, and concerning which no referendum was invoked, were the registration bill and the presidential preference primary law. The question presented to the voters at the special election was clean cut and well defined, and that question was, whether or not the officials of the State required to be elected by the voters should be chosen in partisan or in non-partisan fashion. All of the persuasive endeavors of both sides of the controversy in the special election were directed solely to this question, and on the one side it was argued that our state officials should be elected without regard to partisanship, and on the other, the desirability of parties choosing candidates for state offices was earnestly advocated. The registration bill, under which the elector is not required to state his party affiliation, at the time of registration, was accepted by both sides, and acquiesced in by all the people of the State of California. Since August 10, 1915, it has been continuously the law of the State and is today the solemn enactment of both houses of the Legislature and of the executive branch of the government.

The primary law of 1913 continued in force because of the defeat of the law of 1915, at the special election, can not be operative if the registration law adopted and accepted by all the people of the State be enforced; and presented to us, therefore, is the problem, how shall election of state officers be made partisan and the laws that have been duly enacted and are in force today be preserved as well? It is obvious that we can no more rightfully disregard one law than another and that officials are bound to obey all the laws of the State. It is our plain duty, therefore, while recognizing the result of the recent special election and carrying out what those who then voted declared should be the policy of the State—the nomination and election by parties and in partisan fashion of candidates for state offices—to maintain and uphold a plain statute which has neither been questioned nor challenged, and which, up to this time, all of the people of the State of California have accepted and acquiesced in. Speedily and readily the result may be attained by the amendment of the primary law, and by this amendment, candidates for state offices will be nominated by political parties and will be elected wholly in partisan fashion, and the registration law will be preserved intact. The time of the declaration of party affiliation is simply changed from the time of registration to the time of the primary. This is neither a new nor a novel proceeding. It is the course pursued in the majority of the states having primary laws. Today, in states like Massachusetts, Idaho, Indiana, Michigan, Minnesota, West Virginia, Illinois, Wisconsin, Arizona, Colorado, Kansas, Missouri, Montana, and others, the voter declares his party affiliation at the time of the primary and surely it will not be argued that the election laws of these states are non-partisan. I repeat that by the amendment proposed to the primary law, every official required to be elected in the State will be nominated as the candidate of a political party and will be elected as a candidate of a political party. If this be done, no man acting in good faith can ask more. If the registration law were today amended, the amendment could not take effect until ninety days after the adoption of the amendment. Registration is to commence on the first day of January, and to continue then for use at the presidential preference primary to be held on or about May 2d. It is important, therefore, that a registration law be in effect now and for the period required in order that there may be no more confusion hereafter. If any other reason were needed for upholding what we have solemnly enacted, and what today is the law, it is presented with unanswerable logic by the fact that we would but add to the confusion now existing and leave the election laws still uncertain and inoperative, for more than three months by an attempted amendment of the registration law.

In its larger sense, however, the reason for the amendment of the primary law is that by that amendment we do exactly what the majority who voted at the special election, October 26th, decreed should be done, and we maintain the law duly enacted and unanimously acquiesced in. There was not a single vote in the Senate of the State of California at the 1915 session cast against the registration law, nor was there a single vote cast in that body against the presidential preference primary law, and yet the presidential preference primary law then enacted with this unanimity, distinctly provided for the declaration of party affiliation at the primary itself and at no other time.

It is worse than a confusion of thought to say that the will of the people was expressed upon registration at the recent special election. This is not so. The will of the people upon registration was expressed by the representatives of the people at the legislative session of 1915, and thereafter expressed by all of the people in the failure of any to attack the registration law, or invoke against it the referendum. It is nothing short of misrepresentation to assert that the amendment of the primary law, in the manner suggested, makes the election system of the State non-partisan. The amendment suggested makes the election system of this State *partisan*. It makes a system by which the political parties of the State will nominate candidates for state offices. Those candidates will then have their names printed on the official election ballot with their party designation and will be voted for as partisan candidates. To claim otherwise, is to demonstrate either a poverty of intellect or the wilful design of misrepresentation.

It may be that other means could be devised for partisan nominations and partisan elections and that if time permitted, and no confusion would result, another mode might be presented to cure the existing defects. But whether other courses might be adopted, whether any mode could be suggested that would meet the approval of the most captious, the mode now suggested does do exactly the very thing desired—requires nomination of candidates by political parties and election of candidates as candidates of political parties in partisan fashion.

## 2. SAN FRANCISCO NORMAL SCHOOL.

The San Francisco Normal School is occupying practically temporary quarters. The buildings are unsightly and unsafe. All of us who are familiar with the situation have long known that it was a question of but a brief period until an appropriation of some hundreds of thousands of dollars would be required for reconstruction, etc. Out of the beautiful Exposition that has just been concluded in San Francisco came a suggestion for the preservation of the California Building, and its acquisition by the State for the San Francisco Normal School. Sentimentally, the idea was enthusiastically received by all who are familiar with the location; but it was not until the trustees of the normal school, their expert engineer, and those interested in the preservation of the California Building presented the financial economy of the plan, and its advantages from a business standpoint, that I felt at liberty to submit the question to the Legislature for action.

The Panama-Pacific International Exposition, due to prudent, sagacious and very able management will realize a considerable sum for ultimate distribution among those who contributed its funds. Under the law creating the California Commission, thanks to the foresight of those who prepared the measure, it was provided that the State should receive the State's proportionate share of any moneys realized from the Exposition, and, subsequently, in conformity with the law, a contract was made by the State Commission with the Directors of the Exposition of like character. It is represented to me that a sum probably equalling a million dollars will ultimately be realized from the Exposition and the State will be entitled to its proportionate share of this sum.

The proposal in reference to the normal school is not to appropriate any money from the general fund at all and the finances of the State, therefore, will not be strained by consummating the plan. It is desired that the Normal School Trustees shall be given power to condemn the land upon which the California Building stands and land adjacent thereto, to remodel the California Building in accordance with the reports and estimates of the experts, to receive, if necessary, appropriate lands in exchange for funds due to the State from the Exposition, to change the site of the normal school from its present location to the California Building of the Exposition, and to dispose of the present site. The estimates submitted to me by the Normal School Trustees and their engineer for the modification of the California Building and its construction into a most beautiful state institution aggregate \$195,000, and the purchase price of the real estate, it is asserted, ought not to exceed \$100,000. The condemnation proceedings must be commenced at once, and it is necessary therefore that the requisite authority be immediately given. The appropriation asked in the bill submitted is wholly from moneys which shall be returned from the Exposition to the State, and I reiterate that the general finances of the State are not touched at all.

I am not unmindful of the difficulties and obstacles which may preclude us from successfully carrying out the proposed design: but, in order that we may endeavor thus to consummate a plan at once appealing to our sentiment and business judgment, the powers asked must be accorded by the Legislature.

## 3. SAN DIEGO EXPOSITION.

Californians may be very proud of the great International Exposition which has just been concluded at San Francisco. It marked an epoch in World's Expositions, and its marvels and its beauty were worthy of our State. The State dealt generously with the Exposition but the Exposition itself has more than justified the State's generosity. During the year 1915 California has had not only its great International Exposition at San Francisco but the remarkably beautiful Exposition at San Diego. I can not too highly commend the energy and the pluck of the city of San Diego in maintaining, as it has, an Exposition creditable and beneficial alike to that locality and to the State of California.

The San Diego Exposition will continue during the year 1916. In order that it may continue it asks the passage of the enabling act relating to Balboa Park, and it may be assumed that very readily this will be done.

In addition, a small measure of aid is asked now from the State; and from the same source as our funds for the San Francisco Normal School are obtained. I should very heartily favor an appropriation of this sort for the San Diego Exposition.

The subjects to which I have referred in this message are the only subjects that are before this extraordinary session of the Legislature. Purposely and designedly have I restricted the call within the narrowest possible limits. I say to you very frankly that I have endeavored by the statement of the matter in relation to the election laws to restrict you to the amendment of the primary law. I have done this after the most careful thought and consultation with those most familiar with the

election machinery of the State, and because this amendment immediately dispels a confusion now existing, requires nominations of candidates for State offices by political parties and makes elections partisan in character, while not disturbing other laws in force. If we meet upon a common ground to make nominations and elections in the State partisan and to perform our sworn duty to uphold the laws as they exist, there can be occasion neither for bitter controversy nor long delay. The result, if the design be to make our elections partisan, may be attained in one brief day. Upon important subjects often in one day you have finally acted. Upon this subject, if all that is desired is partisanship in our State elections and in our State nominations, we may act with celerity and the means are at hand. I would not, of course, suggest undue haste and would ask careful scrutiny and consideration of your legislation, but once it is clear that the object is attained by the amendment suggested, necessity no longer exists for a continuance of the session.

Dated, Sacramento, January 5, 1916.

HIRAM W. JOHNSON,  
Governor.

Message referred to the Committee on Rules.

#### APPOINTMENTS BY PRESIDENT.

The President of the Senate announced that pursuant to the provisions of section 247 of the Political Code, he had made the following appointments of pages at the per diem of \$2.50, for the extraordinary session of the Senate:

Thomas Lenahan.  
Ralph Greer.

Senator Thompson moved that the appointments by the President be confirmed by the Senate.

The question being on the confirmation of the appointments.

The roll was called, and the appointments confirmed by the following vote:

AYES—Senators Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—33.

NOES—None.

#### RECESS.

At two o'clock and fifty-five minutes p.m. on motion of Senator Thompson, the President declared the Senate at recess until four o'clock p.m.

#### RECONVENED.

At four o'clock p.m. the Senate reconvened.  
President pro tem. Thompson in the chair.  
Secretary Edwin F. Smith at the desk.

#### MESSAGES FROM THE ASSEMBLY.

The following message was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, January 5, 1916.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day is now duly organized and ready to proceed with the business of the State, having elected the following statutory officers:

Honorable C. C. Young	Speaker
Honorable Howard J. Fish	Speaker pro tem.
L. B. Mallory	Chief Clerk
M. Stern	First Assistant Chief Clerk
Vincent G. Gelcich	Minute Clerk
H. B. Miller	Sergeant-at-Arms
Rev. James Whittaker	Chaplain

L. B. MALLORY, Chief Clerk of Assembly.  
By M. STERN, First Assistant Clerk.

## RESOLUTIONS.

The following resolution was offered:

By Senator Breed:

*Resolved*, That the following named persons be and they are hereby appointed to the respective positions hereinafter set forth, as provided by law; the compensation set opposite their names, and the Controller is hereby directed to draw his warrants for the said respective amounts, and the Treasurer is directed to pay the same:

Miss Lillian Campbell	Chief Stenographer	\$6.00 per day
Miss F. B. Hatch	Stenographer	5.00 per day
Miss Agnes Loofbourrow	Stenographer	5.00 per day
Arthur A. Ohnimus	Stenographer	5.00 per day
Mrs. H. M. Gibbs	Postmistress	4.00 per day
Mrs. Mary Finney	Assistant Postmistress	4.00 per day
William Vacher	Assistant Sergeant-at-Arms	5.00 per day
J. T. Macdonald	Assistant Sergeant-at-Arms	5.00 per day
Milo R. Robbins	Engrossing and Enrolling Clerk	7.00 per day
Miss Carrie Garrison	Journal Clerk	7.00 per day
Joseph Harny	Cloakroom Clerk	4.00 per day
Gilmore Thompson	Gatekeeper	3.00 per day
Robert W. Flint	Committee Clerk	4.00 per day
Belmon Ullner	Committee Clerk	4.00 per day

Resolution read.

Senator Breed moved that the resolution be adopted.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Shearer, Strobridge, Stuckenbrück, Thompson, Tyrrell, and Wolfe—32.

NOES—None.

## RECESS.

At four o'clock and fifteen minutes p.m., on motion of Senator Strobridge, the President pro tem. declared the Senate at recess until seven o'clock and thirty minutes p.m. of this day.

## RECONVENED.

At seven o'clock and thirty minutes p.m., the Senate reconvened.

Lieutenant Governor John M. Eshleman, President of the Senate, in the chair.

Edwin F. Smith, Secretary of the Senate, at the desk.

## REGULAR ORDER OF BUSINESS.

Senator Thompson moved that the Senate do now proceed with the regular order of business.

Motion carried.

## INTRODUCTION AND FIRST READING OF BILLS.

The following bills were introduced:

By Senator Benson: Senate Bill No. 1—An act to amend an act entitled "An act to provide for and regulate primary elections, and providing a method for choosing the delegates for political parties to state conventions and for nominating electors of President and Vice President of the United States, and providing for the election of party county central committees, and to repeal the act approved April 7, 1911, known as the Direct Primary Law, and also to repeal the act approved December 24, 1911, amending sections one, three, five, seven, ten, twelve, thirteen, twenty-two, twenty-three, and twenty-four of the

said direct primary law, and also to repeal all other acts or parts of acts inconsistent with or in conflict with the provisions of this act," approved June 16, 1913, by amending sections one, two, four, five, seven, nine, ten, twelve, thirteen, sixteen, seventeen, nineteen, twenty-one, twenty-two, twenty-three, twenty-four, twenty-five, twenty-eight, thirty, and thirty-three thereof.

Read first time, and referred to Committee on Elections.

By Senator Benson: Senate Bill No. 2—An act to amend sections three, six, and nine of an act entitled "An act to provide for the indication by registered qualified electors of their choice for nomination by their respective political parties for President of the United States through the election of the delegates of said political parties to their respective national conventions, and to repeal an act approved December 24, 1911, known as the Presidential Primary Act, and also to repeal all other acts or parts inconsistent with or in conflict with the provisions of this act," approved April 28, 1915, and to add a new section to said act, calling and providing for a presidential primary election to be held on the second day of May, 1916, said new section to be known and designated as section thirteen.

Read first time, and referred to Committee on Elections.

By Senator Wolfe: Senate Bill No. 3—An act authorizing the city and county of San Francisco to close and abandon certain public streets, or parts of public streets, in the city and county and to transfer title thereto to the State of California.

Read first time, and referred to Committee on Finance.

By Senator Wolfe: Senate Bill No. 4—An act to authorize and empower the board of trustees of the San Francisco State Normal School to sell or exchange and convey the lands and buildings of said school; to acquire by purchase, gift, condemnation or otherwise a new site for said school and to erect thereon buildings suitable and appropriate therefor, or to remodel or reconstruct any building already erected on the site so purchased or acquired, and to purchase therefor necessary and appropriate furniture and equipment; to create a fund into which shall be paid the proceeds of the sale of the present school property and making an appropriation to carry out the purposes of this act.

Read first time, and referred to Committee on Finance.

By Senator Wolfe: Senate Bill No. 5—An act to provide for the disposition of any money or other property accruing to or to be received by the State of California as its proportionate share of the returns from the holding of the Panama-Pacific International Exposition.

Read first time, and referred to Committee on Finance.

By Senator Luce: Senate Bill No. 6—An act to amend section one of an act entitled "An act giving and granting to the Board of Park Commissioners of the city of San Diego the right to use and the right to authorize the use of Balboa Park in said city for exposition purposes," approved March 24, 1911, extending the terms of said section to the year 1916.

Read first time, and referred to Committee on Finance.

By Senator Luce: Senate Bill No. 7—An act appropriating fifty thousand dollars for the completion, maintenance and repair of the California State Building at the Panama-California International Exposition.

Read first time, and referred to Committee on Finance.

By Senator Ballard: Senate Bill No. 8—An act to amend sections fifteen, sixteen and seventeen of an act entitled "An act to provide for and regulate primary elections, and providing a method for choosing the delegates for political parties to state conventions, and for nominating electors of President and Vice President of the United States, and providing for the election of party county central committees, and to repeal the act approved April 7, 1911, known as the direct primary law, and also to repeal the act approved December 24, 1911, amending sections one, three, five, seven, ten, twelve, thirteen, twenty-two, twenty-three and twenty-four, of the said direct primary law, and also to repeal all other acts or parts of acts inconsistent with or in conflict with the provisions thereof," approved June 16, 1913, all relating to conducting, voting at and the right to vote at primary elections, and to repeal all other acts or parts of acts inconsistent with, or in conflict with the provisions of this act.

Read first time, and referred to Committee on Elections.

#### ADJOURNMENT.

At eight o'clock and five minutes p.m., on motion of Senator Thompson, the President declared the Senate adjourned.

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#### IN SENATE.

SENATE CHAMBER, SACRAMENTO, CAL.,

Thursday, January 6, 1916.

The Senate met at ten o'clock a.m.

Lieutenant Governor John M. Eshleman, President of the Senate, in the chair.

Secretary Edwin F. Smith at the desk.

The roll was called, and the following answered to their names:

Senators Ballard, Benson, Birdsall, Breed, Brown, Butler, Carr, Chandler, Cohn, Crowley, Duncan, Flaherty, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, and Tyrrell—32.

Quorum present.

#### PRAYER.

Prayer was offered by Rev. Father Henry I. Stark, Chaplain of the Senate.

#### LEAVES OF ABSENCE.

Senator Beban was, on motion of Senator Crowley, granted leave of absence for this day.

Senator Wolfe was, on motion of Senator Gerdes, granted leave of absence for this day.

Senator Benedict was, on motion of Senator Thompson, granted leave of absence for this and the previous legislative day.

#### READING OF THE JOURNAL.

During the reading of the Journal of Wednesday, January 5, 1916, the further reading was dispensed with, on motion of Senator Rush.

## RESOLUTIONS.

The following resolutions were offered:

## ON CONTINGENT EXPENSES.

SENATE CHAMBER, SACRAMENTO, January 6, 1916.

MR. PRESIDENT: Your Committee on Contingent Expenses begs leave to present the following resolution:

*Resolved*. That the State Controller be and he is hereby directed and ordered to draw his warrant upon the proper fund in favor of the following named Senators and officers of the Senate for the amount set opposite of their names, and the State Treasurer is hereby directed and ordered to pay the same, being the mileage due them by law.

Officers	Address	Mileage	Amount
President, John M. Eshleman-----	Los Angeles -----	894	\$89 40
Minute Clerk, Clifton E. Brooks-----	Oakland -----	168	16 80
Sergeant-at-Arms, Thos. A. Brown-----	San Francisco -----	180	18 00

Dist.	Senators	Address	Mileage	Amount
38	Ballard, John W.	Los Angeles -----	894	\$89 40
27	Benson, Frank H.	San Jose -----	256	25 60
3	Birdsell, E. S.	East Auburn -----	74	7 40
15	Breed, A. H.	Oakland -----	168	16 80
37	Brown, William E.	Los Angeles -----	894	89 40
31	Butler, Edwin M.	Los Angeles -----	894	89 40
17	Campbell, A. E.	San Luis Obispo -----	686	68 60
36	Carr, William J.	Pasadena -----	914	91 40
26	Chandler, W. F.	Fresno -----	338	33 80
33	Cogswell, Prescott F.	El Monte -----	924	92 40
7	Cohn, P. C.	Folsom City -----	44	4 40
22	Crowley, John Jos.	San Francisco -----	180	18 00
6	Duncan, W. E., Jr.	Oroville -----	172	17 20
24	Flaherty, Lawrence J.	San Francisco -----	180	18 00
11	Flint, William R.	Hollister -----	346	34 60
21	Gerdes, Fred C.	San Francisco -----	180	18 00
14	Hans, George J.	Oakland -----	168	16 80
32	Irwin, J. L. C.	Hanford -----	428	42 80
23	Jones, Herbert C.	San Jose -----	256	25 60
1	Kehoe, William	Eureka -----	624	62 40
30	King, Lyman M.	Redlands -----	1036	103 60
40	Luce, Edgar A.	San Diego -----	1146	114 60
29	Lyon, Henry H.	Los Angeles -----	894	89 40
12	Maddux, J. L.	Modesto -----	154	15 40
25	Mott, D. W.	Santa Paula -----	948	94 80
9	Owens, James C.	Richmond -----	156	15 60
4	Purkitt, Claude F.	Willows -----	175	17 50
5	Rush, Benjamin F.	Suisun -----	82	8 20
29	Scott, William S.	San Francisco -----	180	18 00
2	Shearer, Wm. B.	Yreka -----	590	59 00
8	Slater, Herbert W.	Santa Rosa -----	180	18 00
13	Strobridge, Ed. K.	Hayward -----	196	19 60
10	Stuckenbruck, J. W.	Acampo -----	78	7 80
35	Thompson, Newton W.	Alhambra -----	910	91 00
16	Tyrrell, Edw. J.	Oakland -----	168	16 80
19	Wolfe, Edward I.	San Francisco -----	180	18 00

And respectfully recommend that it be adopted.

LYON, Chairman.

Resolution read.

Senator Lyon moved that the resolution be adopted.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Ballard, Benson, Birdsall, Breed, Brown, Butler, Carr, Chandler, Cohn, Crowley, Duncan, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—30.

NOES—None.

Also:

By Senator Flint:

*Resolved*, That the Sergeant-at-Arms of the Senate be and he is hereby authorized to receipt to the Controller for the warrants of the Senators, officers and employees and attaches of the Senate, and mail all that can not be delivered in person at the end of session, to the owners thereof.

Resolution read, and on motion adopted.

#### INTRODUCTION AND FIRST READING OF BILLS, ETC.

The following bills, etc., were introduced:

By Senator Thompson: Senate Concurrent Resolution No. 1—Relative to adoption of Joint Rules.

#### CONSIDERATION OF CONCURRENT RESOLUTION—(OUT OF ORDER).

Senator Thompson asked for and was granted unanimous consent for the consideration of Senate Concurrent Resolution No. 1 at this time without reference to committee.

#### SENATE CONCURRENT RESOLUTION NUMBER ONE.

Relative to Adoption of Joint Rules.

*Resolved* by the Senate, the Assembly concurring, that the joint rules of the Assembly and Senate of the legislature of the State of California adopted at the forty-first regular session be and they are hereby adopted as the joint rules of the Assembly and Senate of said legislature for this extraordinary session.

Resolution read.

The question being on the adoption of the resolution.

The roll was called and Senate Concurrent Resolution No. 1 adopted by the following vote:

AYES—Senators Ballard, Benson, Birdsall, Breed, Brown, Butler, Carr, Chandler, Cohn, Crowley, Duncan, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—30.

NOES—None.

Resolution ordered transmitted to the Assembly.

#### INTRODUCTION AND FIRST READING OF BILLS, ETC.—(RESUMED).

The following bills, etc., were introduced:

By Senator King: Senate Bill No. 9—An act to amend section ten hundred ninety-six of the Political Code, relating to elections and the registration of voters.

Bill read first time, and referred to Committee on Elections.

By Senator Owens: Senate Concurrent Resolution No. 2—Relative to the celebration by the people of Marin County, of the landing of Drake's armada on the shores of California.

Resolution referred to Committee on Federal Relations.

#### RECESS.

At ten o'clock and twenty minutes p.m., on motion of Senator Thompson, the President declared the Senate at recess until two o'clock and thirty minutes p.m.

| Jan. 6, 1916

## RECONVENED.

At two o'clock and thirty minutes p.m., the Senate reconvened.  
 Lieutenant Governor John M. Eshleman, President of the Senate, in the chair.

Edwin F. Smith, Secretary of the Senate, at the desk.

## RESOLUTION.

The following resolution was offered:  
 By the Committee on Contingent Expenses:

*Resolved*, That the Controller be and he is hereby directed to draw his warrant in favor of the Secretary of the Senate for the sum of twenty-five dollars (\$25) for postage and expressage, the same to be payable out of the Contingent Fund of the Senate and the Treasurer is hereby directed to pay the same.

Resolution read.

Senator Lyon moved that the resolution be adopted.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Ballard, Benson, Birdsall, Breed, Brown, Butler, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Flaherty, Haas, Kehoe, King, Luce, Lyon, Maddux, Mott, Purkitt, Rush, Slater, Strobridge, Stuckenbruck, and Thompson—26.

NOES—None.

## RECESS.

At two o'clock and thirty-five minutes p.m., on motion of Senator Thompson, the President declared the Senate at recess until seven o'clock and thirty minutes p.m.

## RECONVENED.

At seven o'clock and thirty minutes p.m. the Senate reconvened.  
 Lieutenant Governor John M. Eshleman, President of the Senate, in the chair.

Secretary Edwin F. Smith at the desk.

## REPORTS OF STANDING COMMITTEE.

The following reports of standing committee were received and read:

## ON ELECTIONS.

SENATE CHAMBER, SACRAMENTO, January 6, 1916.

MR PRESIDENT: Your Committee on Elections, to which was referred Senate Bill No. 1—An act to amend an act entitled "An act to provide for and regulate primary elections, and providing a method for choosing the delegates for political parties to state conventions and for nominating electors of President and Vice President of the United States, and providing for the election of party county central committees, and to repeal the act approved April 7, 1911, known as the Direct Primary Law, and also to repeal the act approved December 24, 1911, amending sections one, three, five, seven, ten, twelve, thirteen, twenty-two, twenty-three, and twenty-four of the said Direct Primary Law, and also to repeal all other acts or parts of acts inconsistent with or in conflict with the provisions of this act," approved June 16, 1913, by amending sections one, two, four, five, seven, nine, ten, twelve, thirteen, sixteen, seventeen, nineteen, twenty-one, twenty-two, twenty-three, twenty-four, twenty-five, twenty-eight, thirty, and thirty-three thereof—has had the same under consideration, and respectfully recommends that it do pass.

BENSON, Chairman.

Senate Bill No. 1 ordered on file for second reading.

Also:

SACRAMENTO, January 6, 1916

MR PRESIDENT: Your Committee on Elections, to which was referred Senate Bill No. 2—An act to amend sections three, six, and nine of an act entitled "An act to provide for the indication by the registered qualified electors of their choice for nomination by their respective political parties for President of the United States through the election of the delegates of said political parties to their respective national conventions, and to repeal an act approved December 24, 1911, known as the Presidential Primary Act, and also to repeal all other acts or parts inconsistent with or in conflict with the provisions of this act," approved April 28, 1915, and to add a new section to said act, calling and providing for a Presidential Primary Election to be held on the second day of May, 1916, said new section to be known and designated as section thirteen—has had the same under consideration, and respectfully recommends that it do pass.

BENSON, Chairman.

Senate Bill No. 2 ordered on file for second reading.

RECESS.

At eight o'clock and five minutes p.m., on motion of Senator Thompson, the President declared the Senate at recess until eight o'clock and thirty minutes p.m. of this day.

RECONVENED.

At eight o'clock and thirty minutes p.m., the Senate reconvened.

Hon. Newton W. Thompson, President pro tem. of the Senate, in the chair.

Assistant Secretary J. W. Kavanagh at the desk.

ADJOURNMENT.

At eight o'clock and thirty-five minutes p.m., on motion of Senator Strobridge, the President pro tem. declared the Senate adjourned.

## IN SENATE.

SENATE CHAMBER, SACRAMENTO, CAL.

Friday, January 7, 1916.

The Senate met at ten o'clock a.m.

Lieutenant Governor John M. Eshleman, President of the Senate, in the chair.

Assistant Secretary J. W. Kavanagh at the desk.

The roll was called, and the following answered to their names:

Senators Ballard, Benson, Birdsall, Breed, Brown, Butler, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Flaherty, Flint, Gerdes, Ilans, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddox, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stückenbrück, Thompson, Tyrrell, and Wolfe—35.

Quorum present.

PRAYER.

Prayer was offered by Rev. Father Henry I. Stark, Chaplain of the Senate.

## READING OF THE JOURNAL.

During the reading of the Journal of Thursday, January 6, 1916, the further reading was dispensed with, on motion of Senator Rush.

## LEAVES OF ABSENCE.

Senator Beban was, on motion of Senator Crowley, granted leave of absence for this day.

Senator Benedict was, on motion of Senator Thompson, granted leave of absence for this legislative day.

## REPORTS OF STANDING COMMITTEE.

The following reports of standing committee were received and read:

## ON FINANCE.

SENATE CHAMBER, SACRAMENTO, January 7, 1916.

MR. PRESIDENT: Your Committee on Finance, to which was referred Senate Bill No. 3—An act authorizing the city and county of San Francisco to close and abandon certain public streets, or parts of public streets, in the city and county and to transfer title thereto to the State of California;

Also: Senate Bill No. 5—An act to provide for the disposition of any money or other property accruing to or to be received by the State of California as its proportionate share of the returns from the holding of the Panama-Pacific International Exposition;

Also: Senate Bill No. 6—An act to amend section one of an act entitled "An act giving and granting to the Board of Park Commissioners of the city of San Diego the right to use and the right to authorize the use of Balboa Park in said city for exposition purposes," approved March 24, 1911, extending the terms of said section to the year 1916;

Also: Senate Bill No. 7—An act appropriating fifty thousand dollars for the completion, maintenance and repair of the California State Building at the Panama-California International Exposition; Has had the same under consideration, and respectfully reports the same back with amendments and recommends that they do pass as amended.

STROBRIDGE, Chairman.

Senate Bills Nos. 3, 5, 6, and 7 ordered on file for second reading.

SACRAMENTO, January 7, 1916.

MR. PRESIDENT: Your Committee on Finance, to which was referred Senate Bill No. 4—An act to authorize and empower the board of trustees of the San Francisco State Normal School to sell or exchange and convey the lands and buildings of said school; to acquire by purchase, gift, condemnation or otherwise a new site for said school and to erect thereon buildings suitable and appropriate therefor, or to remodel or reconstruct any building already erected on the site so purchased or acquired, and to purchase therefor necessary and appropriate furniture and equipment; to create a fund into which shall be paid the proceeds of the sale of the present school property and making an appropriation to carry out the purposes of this act—has had the same under consideration, and respectfully recommends that it do pass.

STROBRIDGE, Chairman.

Senate Bill No. 4 ordered on file for second reading.

## SECOND READING OF SENATE BILLS—(OUT OF ORDER).

Senator Wolfe asked for, and was granted, unanimous consent for the second reading at this time, under suspension of the rules, of bills previously reported from committee on this legislative day.

Senate Bill No. 3.—An act authorizing the city and county of San Francisco to close and abandon certain public streets, or parts of public streets, in the city and county, and to transfer title thereto to the State of California.

## COMMITTEE AMENDMENT.

During second reading of the bill, the following committee amendment was offered:

## AMENDMENT NUMBER ONE.

Amend the title by inserting in line 4 thereof, after the word "county", the words "of San Francisco".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 5—An act to provide for the disposition of any money or other property accruing to or to be received by the State of California as its proportionate share of the returns from the holding of the Panama-Pacific International Exposition.

## COMMITTEE AMENDMENT.

During second reading of the bill, the following committee amendment was offered:

## AMENDMENT NUMBER ONE.

Strike out lines 16 and 17, page 1 of the printed bill, and insert in lieu thereof the following: "the general fund".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 6—An act to amend section one of an act entitled "An act giving and granting to the Board of Park Commissioners of the city of San Diego the right to use and the right to authorize the use of Balboa Park in said city for exposition purposes," approved March 24, 1911, extending the terms of said section to the year 1916.

## COMMITTEE AMENDMENT.

During second reading of the bill, the following committee amendment was offered:

## AMENDMENT NUMBER ONE.

Amend the title by inserting in line 7 thereof, after the word "to" the word "include".

Amendment adopted.

Bill read second time and ordered to print, engrossment, and third reading.

Senate Bill No. 7—An act appropriating fifty thousand dollars for the completion, maintenance and repair of the California State Building at the Panama-California International Exposition.

## COMMITTEE AMENDMENT.

During second reading of the bill, the following committee amendment was offered:

## AMENDMENT NUMBER ONE.

Amend Senate Bill No. 7 by adding a new section to be numbered section 2 and to read as follows:

Sec. 2. This act is exempt from the provisions of section 672 of the Political Code of the State of California and from the provisions of an act entitled "An act to regulate contracts on behalf of the state in relation to the erection, construction,

alteration, repair or improvement of any state structure, building, road or other improvement of any kind and to repeal an act entitled 'An act to regulate contracts on behalf of the State in relation to erections and buildings,' approved March 28, 1876, approved March 22, 1909."

Amendment adopted.

Bill read second time and ordered to print, engrossment, and third reading.

Senate Bill No. 4.—An act to authorize and empower the Board of Trustees of the San Francisco State Normal School to sell or exchange and convey the lands and buildings of said school; to acquire by purchase, gift, condemnation or otherwise a new site for said school and to erect thereon buildings suitable and appropriate therefor, or to remodel or reconstruct any building already erected on the site so purchased or acquired, and to purchase therefor necessary and appropriate furniture and equipment; to create a fund into which shall be paid the proceeds of the sale of the present school property and making an appropriation to carry out the purposes of this act.

Bill read second time, ordered engrossed, and on file for third reading.

#### RUSH ORDER TO PRINTER.

On motion of Senator Wolfe, the Secretary was directed to issue a rush order for the printing of Senate Bills Nos. 3, 4, 5, 6, and 7.

#### REPORT OF STANDING COMMITTEE—(RESUMED).

The following report of standing committee was received and read:

##### ON FEDERAL RELATIONS.

SENATE CHAMBER, SACRAMENTO, January 6, 1916.

MR. PRESIDENT: Your Committee on Federal Relations, to which was referred Senate Concurrent Resolution No. 2—Relative to the celebration by the people of Marin County, of the landing of Drake's armada on the shores of California—has had the same under consideration, and respectfully recommends that it be adopted.

RUSH Chairman.

Senate Concurrent Resolution No. 2 ordered on file.

#### INTRODUCTION AND FIRST READING OF BILLS, ETC.

The following bills, etc., were introduced:

By Senator Scott: Senate Concurrent Resolution No. 3—Relative to the commission for relief in Belgium.

Resolution referred to Committee on Federal Relations.

#### RECESS.

At ten o'clock and thirty-five minutes a.m., on motion of Senator Thompson, the President declared the Senate at recess until ten o'clock and forty-five minutes a.m.

#### RECONVENED.

At ten o'clock and forty-five minutes a.m. the Senate reconvened.

Lieutenant Governor John M. Eshleman, President of the Senate, in the chair.

Assistant Secretary J. W. Kavanagh at the desk.

## SECOND READING OF SENATE BILLS.

Senate Bill No. 1—An act to amend an act entitled “An act to provide for and regulate primary elections, and providing a method for choosing the delegates for political parties to state conventions and for nominating electors of President and Vice President of the United States, and providing for the election of party county central committees, and to repeal the act approved April 7, 1911, known as the Direct Primary Law, and also to repeal the act approved December 24, 1911, amending sections one, three, five, seven, ten, twelve, thirteen, twenty-two, twenty-three, and twenty-four of the said Direct Primary Law, and also to repeal all other acts or parts of acts inconsistent with or in conflict with the provisions of this act”; approved June 16, 1913, by amending sections one, two, four, five, seven, nine, ten, twelve, thirteen, sixteen, seventeen, nineteen, twenty-one, twenty-two, twenty-three, twenty-four, twenty-five, twenty-eight, thirty, and thirty-three thereof.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 2—An act to amend sections three, six, and nine of an act entitled “An act to provide for the indication by the registered qualified electors of their choice for nomination by their respective political parties for President of the United States through the election of the delegates of said political parties to their respective national conventions, and to repeal an act approved December 24, 1911, known as the Presidential Primary Act, and also to repeal all other acts or parts inconsistent with or in conflict with the provisions of this act,” approved April 28, 1915, and to add a new section to said act, calling and providing for a presidential primary election to be held on the second day of May, 1916, said new section to be known and designated as section thirteen.

Bill read second time, ordered engrossed, and on file for third reading.

## CONSIDERATION OF CONCURRENT RESOLUTION—(OUT OF ORDER).

Senator Scott asked for, and was granted, unanimous consent for the withdrawal from the Committee on Federal Relations and the consideration at this time of Senate Concurrent Resolution No. 3.

## SENATE CONCURRENT RESOLUTION NUMBER THREE.

Relative to the commission for relief in Belgium.

WHEREAS, The commission for relief in Belgium has been and now is engaged in furnishing clothing and food to the destitute inhabitants of Belgium by and with the approval and consent of the civil and military authorities of England and Germany; and

WHEREAS, The great humanitarian work of that commission is strictly neutral, and, at the request of President Woodrow Wilson, many prominent men of the United States have accepted membership on the committee to raise funds in the United States; now, therefore, be it

*Resolved by the Senate of the State of California, the Assembly concurring,* That the humanitarian efforts of the commissioners for relief in Belgium in sending succor and relief for the destitute people of Belgium be and the same are hereby endorsed by the Legislature of the State of California.

Resolution read.

The question being on the adoption of the resolution.

The roll was called and Senate Concurrent Resolution No. 3 adopted by the following vote:

AYES—Senators Benson, Birdsall, Breed, Brown, Butler, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Flaherty, Flint, Gerdes, Hans, Irwin, Jones, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Stuckenbruck, Thompson, Tyrrell and Wolfe—32.

NOES—Senator Ballard—1.

Resolution ordered transmitted to the Assembly.

#### CONSIDERATION OF CONCURRENT RESOLUTION—(OUT OF ORDER).

Senator Owens asked for and was granted unanimous consent for the consideration at this time of Senate Concurrent Resolution No. 2.

#### SENATE CONCURRENT RESOLUTION NUMBER TWO.

Relative to the celebration by the people of Marin County of the landing of Drake's armada on the shores of California.

WHEREAS, The people of Marin County on May nineteenth, twentieth, and twenty-first of this year (which dates are provisional) will celebrate the landing of Drake's armada upon the shores of California; and

WHEREAS, The resources of the region and of the State of California will be brought to the attention of the world by a series of flower games and by pageantry, displaying their customs, habits and activities of the people who are working out their destinies within the confines of California; and

WHEREAS, The history of the State of California will be depicted by a series of tableaux enacted by the descendants of those who made the State and who are its foremost citizens; and

WHEREAS, This celebration will be international in its scope and participation; and

WHEREAS, The celebration will be a memorable episode in the educational, cultural and economic history of the State of California; therefore, be it

*Resolved by the Senate, the Assembly concurring.* That the Legislature of the State of California hereby endorse this celebration by the people of Marin County and hereby recommend it to the good will of the citizens of the State of California; and be it further

*Resolved,* That the Governor of the State of California be and is hereby authorized to proclaim this celebration to the citizens of the State of California; and be it further

*Resolved,* That the Governor of the State of California be and is hereby authorized to proclaim the celebration to the governments of the other states in the Union and invite their participation; and be it further

*Resolved,* That the officials and officers of the various departments of the government of the State of California be and hereby are authorized and directed to give such aid, assistance and help to the people of Marin County in planning and organizing their celebration as may come within the scope of their respective departments; and be it further

*Resolved,* That the celebration by the people of Marin County known as the "Marin Flower Pageant" be and hereby is authorized by the Legislature and the Governor of the State of California.

Resolution read.

The question being on the adoption of the resolution.

The roll was called and Senate Concurrent Resolution No. 2 adopted by the following vote:

AYES—Senators Benson, Birdsall, Breed, Brown, Butler, Carr, Chandler, Cogswell, Crowley, Duncan, Flaherty, Flint, Gerdes, Hans, Irwin, Jones, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Stuckenbruck, Thompson, Tyrrell, and Wolfe—31.

NOES—None.

Resolution ordered transmitted to the Assembly.

#### RECESS.

At eleven o'clock and thirty-five minutes a.m., on motion of Senator Thompson, the President declared the Senate at recess until three o'clock p.m.

## RECONVENED.

At three o'clock p.m. the Senate reconvened.  
Lieutenant Governor John M. Eshleman, President of the Senate, in the chair.

Assistant Secretary J. W. Kavanagh at the desk.

## RESOLUTION.

The following resolution was offered:

## COMMITTEE ON CONTINGENT EXPENSES.

*Resolved*, That the Controller is hereby authorized and directed to draw his warrant upon the fund for payment of officers and employees of the Senate in favor of the following named persons for the sums set opposite their respective names and the Treasurer is directed to pay the same; said amount being in payment for one day's services prior and incident to the convening of the present extraordinary session of the Senate.

Thos. A. Brown, Sergeant-at-Arms-----	\$8.00
J. B. Newsom, Bookkeeper-----	5.00

LYON, Chairman.

Resolution read.

Senator Lyon moved that the resolution be adopted.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Ballard, Benson, Birdsall, Breed, Brown, Butler, Chandler, Cogswell, Colm, Crowley, Duncan, Flaherty, Flint, Gerdes, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Thompson, Tyrrell, and Wolfe—31.

NOES—None.

## MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were received and read:

## ASSEMBLY CHAMBER, SACRAMENTO, January 7, 1916.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Senate Concurrent Resolution No. 3—Relative to the commission for relief in Belgium.

L. B. MALLORY, Chief Clerk of Assembly.  
By M. STERN, Assistant Clerk.

Senate Concurrent Resolution No. 3 ordered to enrollment.

Also:

## ASSEMBLY CHAMBER, SACRAMENTO, January 7, 1916.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Assembly Joint Resolution No. 1—Relative to a petition to the Secretary of the Navy to assign the name "California" to battleship No. 44, to be constructed at Mare Island Navy Yard.

L. B. MALLORY, Chief Clerk of Assembly.  
By M. STERN, Assistant Clerk.

## CONSIDERATION OF ASSEMBLY JOINT RESOLUTION—(OUT OF ORDER).

Senator Tyrrell asked for and was granted unanimous consent for the consideration at this time of Assembly Joint Resolution No. 1, without reference to committee.

## ASSEMBLY JOINT RESOLUTION NUMBER ONE.

WHEREAS, The Honorable Secretary of the Navy has, in recognition of the industry, zeal, efficiency and skill of the officials and mechanics of the Mare Island Navy Yard, comprising in the several ranks citizens of all sections of California, and of the splendid record made by such citizens in saving large sums of money for the federal government in the construction of vessels for the United States Navy, thus showing the highest degree of civic patriotism, by assigning to that navy yard the construction

of battleship No. 44, which is designed to be the equal of any war vessel afloat and which will, when completed, carry the American flag with honor to every section of the world and in so doing serve as an exemplar of the skill and fidelity of the workmen who will have contributed to her construction, be it

*Resolved by the Assembly and the Senate, jointly,* That the Honorable Secretary of the Navy be respectfully petitioned to change the name of battleship No. 44, now building at the New York Naval Station and designated as the "California," to some other appropriate name, that the name "California" may be assigned to battleship No. 44 which is to be constructed in this State, by the workmen of this State, and will ever prove a source of inspiration to the patriotism and pride of the people of California, by giving them a more direct interest in our navy, which constitutes the first line of the nation's defense; be it further

*Resolved,* That the thanks of the people of California be extended to the Honorable Secretary of the Navy for the action showing his confidence in the capability of California workmen.

The Chief Clerk is directed to transmit copies of this joint resolution to the Honorable Secretary of the Navy.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Assembly Joint Resolution No. 1 adopted by the following vote:

AYES—Senators Ballard, Benson, Birdsall, Breed, Brown, Butler, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Flaherty, Flint, Gerdes, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Scott, Slater, Strobridge, Thompson, Tyrrell, and Wolfe—31.

NOES—None.

Resolution ordered transmitted to the Assembly.

#### REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

##### ON ELECTIONS.

Senate Chamber, Sacramento, January 7, 1916.

MR. PRESIDENT: Your Committee on Elections, to which was referred Senate Bill No. 8—An act to amend sections fifteen, sixteen and seventeen of an act entitled "An act to provide for and regulate primary elections, and providing a method for choosing the delegates for political parties to state conventions, and for nominating electors of President and Vice President of the United States, and providing for the election of party county central committees, and to repeal the act approved April 7, 1911, known as the Direct Primary Law, and also to repeal the act approved December 24, 1911, amending sections one, three, five, seven, ten, twelve, thirteen, twenty-two, twenty-three and twenty-four, of the said Direct Primary Law, and also to repeal all other acts or parts of acts inconsistent with or in conflict with the provisions thereof," approved June 16, 1913, all relating to conducting, voting at and the right to vote at primary elections, and to repeal all other acts or parts of acts inconsistent with, or in conflict with the provisions of this act;

Also: Senate Bill No. 9—An act to amend section ten hundred ninety-six of the Political Code, relating to elections and the registration of voters: Has had the same under consideration, and respectfully reports the same back, with the statement that each of said bills and the subject matter contained therein are beyond the scope of the call of the Governor convening this extra session, and recommends that no further action be taken on either of said bills.

BENSON, Chairman.

#### DECISION ON POINT OF ORDER.

The President announced his decision and declared that the point of order raised by the Committee on Elections was well taken and that Senate Bills Nos. 8 and 9 could not properly be considered by the Senate at this extraordinary session.

## REPORTS OF STANDING COMMITTEES.—(RESUMED).

The following reports of standing committee were received and read:

## ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, January 7, 1916.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Bill No. 4—An act to authorize and empower the Board of Trustees of the San Francisco State Normal School to sell or exchange and convey the lands and buildings of said school; to acquire by purchase, gift, condemnation or otherwise a new site for said school and to erect thereon buildings suitable and appropriate therefor, or to remodel or reconstruct any building already erected on the site so purchased or acquired, and to purchase therefor necessary and appropriate furniture and equipment; to create a fund into which shall be paid the proceeds of the sale of the present school property and making an appropriation to carry out the purposes of this act;

Also: Senate Bill No. 1—An act to amend an act entitled "An act to provide for and regulate primary elections, and providing a method for choosing the delegates for political parties to state conventions and for nominating electors of President and Vice President of the United States, and providing for the election of party county central committees, and to repeal the act approved April 7, 1911, known as the Direct Primary Law, and also to repeal the act approved December 24, 1911, amending sections one, three, five, seven, ten, twelve, thirteen, twenty-two, twenty-three, and twenty-four of the said Direct Primary Law, and also to repeal all other acts or parts of acts inconsistent with or in conflict with the provisions of this act"; approved June 16, 1913, by amending sections one, two, four, five, seven, nine, ten, twelve, thirteen, sixteen, seventeen, nineteen, twenty-one, twenty-two, twenty-three, twenty-four, twenty-five, twenty-eight, thirty, and thirty-three thereof;

Also: Senate Bill No. 2—An act to amend sections three, six, and nine of an act entitled "An act to provide for the indication by the registered qualified electors of their choice for nomination by their respective political parties for President of the United States through the election of the delegates of said political parties to their respective national conventions, and to repeal an act approved December 24, 1911, known as the Presidential Primary Act, and also to repeal all other acts or parts inconsistent with or in conflict with the provisions of this act," approved April 28, 1915, and to add a new section to said act, calling and providing for a presidential primary election to be held on the second day of May, 1916, said new section to be known and designated as section thirteen;

Also: Senate Concurrent Resolution No. 2—Relative to the celebration by the people of Marin County of the landing of Drake's armada on the shores of California;

Also: Senate Bill No. 3—An act authorizing the city and county of San Francisco to close and abandon certain public streets, or parts of public streets, in the city and county of San Francisco, and to transfer title thereto to the State of California;

Also: Senate Bill No. 5—An act to provide for the disposition of any money or other property accruing to or to be received by the State of California as its proportionate share of the returns from the holding of the Panama-Pacific International Exposition;

Also: Senate Bill No. 6—An act to amend section one of an act entitled "An act giving and granting to the Board of Park Commissioners of the city of San Diego the right to use and the right to authorize the use of Balboa Park in said city for exposition purposes," approved March 24, 1911, extending the terms of said section to include the year 1916;

Also: Senate Bill No. 7—An act appropriating fifty thousand dollars for the completion, maintenance and repair of the California State Building at the Panama-California International Exposition;

And report that the same have been correctly engrossed.

FLAHERTY, Chairman.

## CASES OF URGENCY.

The following resolution was offered by Senator Wolfe:

*Resolved*, That Senate Bills Nos. 3, 4, 5, 6 and 7 present cases of urgency, as that term is used in section 15 of article IV of the Constitution, and the provision of that section requiring that the bills shall be read on three several days in each House is hereby dispensed with, and it is ordered that said bills be read the third time, and placed upon their passage.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and section fifteen of article IV of the constitution suspended and the resolution adopted by the following vote:

**AYES**—Senators Benson, Birdsall, Breed, Brown, Butler, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Flaherty, Flint, Gerdes, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Thompson, Tyrrell, and Wolfe—31.

**NOES**—None.

Senate Bill No. 4—An act to authorize and empower the board of trustees of the San Francisco State Normal School to sell or exchange and convey the lands and buildings of said school; to acquire by purchase, gift, condemnation or otherwise a new site for said school and to erect thereon buildings suitable and appropriate therefor, or to remodel or reconstruct any building already erected on the site so purchased or acquired, and to purchase therefor necessary and appropriate furniture and equipment; to create a fund into which shall be paid the proceeds of the sale of the present school property and making an appropriation to carry out the purpose of this act.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 4 passed by the following vote:

**AYES**—Senators Benson, Birdsall, Breed, Brown, Butler, Carr, Chandler, Cogswell, Cohn, Crowley, Flaherty, Flint, Gerdes, Hans, Jones, Luce, Lyon, Mott, Rush, Scott, Slater, Strobridge, Thompson, Tyrrell, and Wolfe—25.

**NOES**—Senators Ballard, Dunneau, King, Maddux, Purkitt, and Shearer—6.

Title read and approved.

Bill ordered transmitted to the Assembly.

#### EXPLANATION OF VOTE.

Senator Dunneau asked for and was granted, unanimous consent to have the following explanation of his vote on Senate Bills Nos. 4 and 5 printed in the Journal:

I vote "No" upon Senate Bills Nos. 4 and 5 (the San Francisco Normal School building bills) for the following reasons:

1. The location of the school in a frame building is not in accordance with the generally accepted ideas of modern schools, nor is the same consistent with the safety of the pupils.

2. The location of the school in very close proximity to the Presidio military reservation, where many thousands of troops both white and colored are quartered, rather than in some other available location many of which can, I believe, be had, is inadvisable.

3. Five millions of dollars were paid by taxpayers of the several counties of the State toward financing the exposition. Profit of upwards of a half million dollars is apparently due the State which should, through appropriate legislation, be returned to the general funds of the respective counties, thus diminishing the amount of the next tax rate and returning to the taxpayers who originally contributed the same, the proportion of the profit to which they are legitimately entitled, and giving to each taxpayer in proportion to his former contribution through taxes, a practical rebate upon subsequent tax payments.

4. All provision for the erection and maintenance of normal schools, as well as other expenses of the state government are now paid, not by an *ad valorem* tax on the property of the several counties, as was the case with the five millions of dollars raised for the exposition, but rather by tax upon franchises, corporations, etc., and to take the funds which were paid by taxpayers of the whole State, and devote them to purposes peculiarly affecting and beneficial to a single locality, which has already largely benefited by the bounty of the State, is an injustice to the vast body of people who contributed through the medium of *ad valorem* taxation, to the success of the exposition. If the State shall consider that it is necessary to take further steps for the benefit of the San Francisco Normal School, such steps will no doubt be taken at the proper time and the funds therefor provided in the manner customary and now prevailing in such cases.

## CASES OF URGENCY—(RESUMED).

Senate Bill No. 3—An act authorizing the city and county of San Francisco to close and abandon certain public streets, or parts of public streets, in the city and county, and to transfer title thereto to the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 3 passed by the following vote:

AYES—Senators Benson, Birdsall, Breed, Brown, Butler, Carr, Chandler, Cogswell, Cohn, Crowley, Flaherty, Flint, Gerdes, Hans, Jones, King, Luce, Lyon, Mott, Rush, Scott, Slater, Strobridge, Thompson, Tyrrell and Wolfe—26.

NOES—Senators Ballard, Duncan, Maddux, Purkitt, and Shearer—5.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 5—An act to provide for the disposition of any money or other property accruing to or to be received by the State of California as its proportionate share of the returns from the holding of the Panama-Pacific International Exposition.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 5 passed by the following vote:

AYES—Senators Benson, Birdsall, Breed, Brown, Butler, Carr, Chandler, Cogswell, Cohn, Crowley, Flaherty, Flint, Gerdes, Hans, Jones, Luce, Lyon, Mott, Rush, Scott, Strobridge, Tyrrell and Wolfe—23.

NOES—Senators Ballard, Duncan, King, Maddux, Purkitt, Shearer and Slater—7.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 6—An act to amend section one of an act entitled "An act giving and granting to the board of park commissioners of the city of San Diego the right to use and the right to authorize the use of Balboa Park in said city for exposition purposes," approved March 24, 1911, extending the terms of said section to the year 1916.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 6 passed by the following vote:

AYES—Senators Benson, Birdsall, Breed, Brown, Butler, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Flaherty, Flint, Gerdes, Hans, Jones, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Tyrrell, and Wolfe—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 7—An act appropriating fifty thousand dollars for the completion, maintenance and repair of the California State Building at the Panama-California International Exposition.

Bill read third time.

The question being on the passage of the bill.

The roll was called and Senate Bill No. 7 passed by the following vote:

AYES—Senators Benson, Birdsall, Breed, Brown, Butler, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Flaherty, Flint, Gerdes, Hans, Jones, King, Luce, Lyon, Maddux, Mott, Owens, Rush, Scott, Shearer, Slater, Strobridge, Thompson, Tyrrell, and Wolfe—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

3—21472

## RECESS.

At four o'clock p.m., on motion of Senator Thompson, the President declared the Senate at recess until seven o'clock and thirty minutes p.m. of this day.

## RECONVENED.

At seven o'clock and thirty minutes p.m., the Senate reconvened.

Hon. Newton W. Thompson, President pro tem. of the Senate, in the chair.

Assistant Secretary J. W. Kavanagh at the desk.

## SENATOR WOLFE IN THE CHAIR.

At seven o'clock and thirty-one minutes p.m. Senator Wolfe of the Nineteenth District was called to the chair.

## MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was taken up and read.

ASSEMBLY CHAMBER, SACRAMENTO, January 7, 1916.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Senate Concurrent Resolution No. 1—Relative to adoption of joint rules;

Also: Senate Concurrent Resolution No. 2—Relative to the celebration by the people of Marin County, of the landing of Drake's armada on the shores of California.

L. B. MALLORY, Chief Clerk of the Assembly.  
By M. STERN, Assistant Clerk.

Senate Concurrent Resolutions Nos. 1 and 2 ordered to enrollment.

## PRESIDENT PRO TEM. THOMPSON IN THE CHAIR.

At seven o'clock and thirty-two minutes p.m. Honorable Newton W. Thompson, President pro tem. of the Senate, in the chair.

## REMARKS BY SENATOR WOLFE UPON THE OCCASION OF HIS RETIREMENT FROM THE SENATE.

Senator Wolfe addressed the Senate and spoke as follows:

*Mr. President and Gentlemen of the Senate:*

I am deeply grateful for the opportunity of saying a word or two informally to my colleagues before I sever my official connection with this part of the legislative department of the State of California.

At 11:30 tonight my resignation as Senator from the Nineteenth Senatorial District of San Francisco will take effect, and tomorrow I will assume other duties and other responsibilities. I can not, however, leave the Senate of the State of California without saying something of my stay in this Senate.

I came to the Senate of the State for the first time in 1897, and served continuously from San Francisco for sixteen years; then I was temporarily retired from this body, but at the next session I was returned, so that in all, I have seen eighteen years active service as a member of the State Senate of California. I have been in attendance at nine regular sessions of the legislature and eight extraordinary sessions.

I have seen many changes in this body, and in its policy, during that time. I can look around these desks and these seats and can conjure up to my mind colleagues who have answered the last roll call and gone to the Great Beyond. I can conjure up other faces—faces of men that have sat upon the floor of this Senate with me—and republics are not ungrateful after all, for some of these men have been elevated to higher offices and have filled positions of greater responsibility. Some have been governors of this State; others have gone to the United States Senate, and others have gone to the lower house of Congress, where they have served the people of the State of California as faithfully as they served them on this floor.

I have seen many changes in policy; have seen many hard-fought battles upon the floor of this Senate, in which I played my humble part—and we fought as though the life of the State and the Nation were at stake upon the principles under discussion, and that were involved.

But I am happy to say that after all I will carry away with me, when the gavel shall fall for the adjournment of this session of the Senate, nothing but the kindest and pleasantest recollections of my associations with the members of this body.

I have been floor leader. I have been with the majority in my time; and I have known what it is to be with the minority. For six years in the position which you now grace, Senator Thompson, as President pro tem. of this Senate, I have been. And the greatest pleasure—the greatest happiness in the rest of my life will be the thought that no matter how we have differed, no matter how hard we have fought, I do not know of a single member that has sat with me upon the floor of the Senate of this State that I can not tonight call my friend. I am as proud of that as a man could be of anything that comes to him in life.

The honors that have been showered upon me by the good people of the State in sending me here, and the honors I have won in this body are sufficient compensation for the sacrifice I have made in the service of this State—and no man can serve the Senate or the Assembly of the State of California without making a personal sacrifice—but it is worth it.

Aye, it's worth it, after all, because you know that you have played your part in the affairs of the State.

I have seen many changes and at times I thought that these changes were not the best for the people of this State, and for a long time I thought that; but I have changed my mind as to many of these things and am satisfied that after all we have gone onward and upward in the State of California and that we are a shining example that other states might well follow.

I never thought I would be here at this session, Mr. President. I had intended to resign, but when I found that the Normal School had a chance to get something from the State of California—to which it is justly entitled, and to which San Francisco is justly entitled—I determined to come back and do my share to help improve conditions of that institution which I was enabled in part to place in official life in this State, and, if possible, to place it where it ought to be as to equipment, location and building, in our educational department of the State.

I had hoped that when I was here, Mr. President, I might have been able to cast my vote on the other questions that are before the Senate. I had hoped that these election bills might come before us so I might vote upon them, and that you and the people of the State might know my views on these questions.

I want you to know that had the roll been called today on the bills that are the results of the Governor's proclamation for an extra session, I would have voted for these bills; I would have taken no part in opposition thereto, and I would have indulged in no pettifogging; none of the methods of delay that seem to be in vogue in some departments of our legislative government.

I am a Republican. I have been a Republican all my life. I led a procession of thirteen men from this chamber in 1912, and walked out of the Republican convention, and helped to nominate the ticket of electors of the Republican party, because I was a Republican. I am a Republican today; and because I am a Republican I would have been delighted to vote for these bills that you are going to consider and decide on, perhaps, tomorrow.

There has been a tempest in a teapot about these things. I voted in 1915 against nonpartisanship in state politics. I would vote against it today. I would have preferred that we could have returned to the registration and declaration of party. But under this call it is not possible. But I say that it is possible for the integrity of political parties to be preserved in the State of California under the system which this legislature is fostering and fathering.

Therefore, why this tempest in a teapot? Why this excitement and why these attacks?

Why, Mr. President, I have noticed since this difference has arisen that amongst the opposition to the present administration there are men who have eaten out of their hands—who have broken bread with them—who have sat in their council chambers and been part of their organization—I have seen them bite the hand that fed them. I have seen them take a pettifogging position which ill becomes a gentleman and a statesman.

I have no reference to any gentleman within sound of my voice, nor do I attach motives of that kind to any member of the legislature. I concede to the gentlemen of this house, and the other house, just the same honesty of purpose that I would ask to be conceded to myself.

Under these bills it is possible to preserve the integrity of political purposes, and there has been no reason why I should not take that stand about the questions that have been presented to me and put concretely before me.

I will tell you what it is—for in my judgment, for the prosperity and welfare of this Nation it would be better if we could return the reins of government into the hands of the Republican party, as I view it, for this country needs a protec-

tive tariff; not a tariff that will build up trusts and put large and immense wealth in the hands of a few, but a tariff that will protect our laboring people and help build up the industries of the land; I want to see harmony in the Republican party. I want to see the members of the Progressive party do in California what they are doing in the eastern states: come back in the Grand Old Republican party, play their part there and help to make history which shall stand for the betterment of the people of the Nation. And I do not want to make it difficult for them to return; do not want to humiliate them. I want to make it possible for them to return to the Republican party, respecting their standing for principle; and therefore, I say, it ill becomes us as Republicans, to widen the breach.

Mr. President, I have received many courtesies from your hands and received courtesies at the hands of the Governor of this State and while he and I may have differed in the past upon questions of policy I want you to know that I hold Governor Johnson in the highest esteem and respect and I make the public declaration that I think both he and you, and those with you, have done many things for the welfare of the people of the State of California. And if on the ides of November next William Johnson should be the choice for Vice President of the United States, he will have my vote and my support.

Now, some one said to me tonight, "Eddie, you will sing a 'Swan song' tonight; I have heard you sing four or five 'swan songs' in my time on the floor of the Senate." I replied, "Yes, I may have, and I'm not much of a singer at that; but this is the last, simon pure 'swan song' I shall ever sing on the floor of this Senate." And I want you to believe me when I say that as long as I live, I will carry with me the pleasantest recollections of my association with you gentlemen and those that have preceded you. And I want my family—my daughter—when I shall have passed away, to know that at least I played an humble part in the affairs of this State, always standing for what I thought was right—fighting with all the energy I possess. And yet, not always right, because we are human and must err—and I want them to have that in their minds, that in this form, and on this floor, I have won the respect and friendship of men that I have respected and esteemed as I have respected and esteemed life itself.

Gentlemen, I say goodbye to you, the members of the Senate of this State, and I hope I may meet you many, many times again.

#### LIEUTENANT GOVERNOR IN THE CHAIR.

At seven o'clock and fifty minutes p.m., Lieutenant Governor John M. Eshleman, President of the Senate in the chair.

#### REMARKS BY OTHER MEMBERS OF THE SENATE.

Remarks upon the retirement of Senator Wolfe and tributes to his extended service in the Senate of the State of California were made by Senators Slater and Ballard, President pro tem. Thompson and President Eshleman.

#### ADJOURNMENT.

At eight o'clock and fifty minutes p.m., on motion of Senator Strobridge, the President pro tem. declared the Senate adjourned until Saturday, January 8th, 1916, at eleven o'clock a.m.

## IN SENATE.

SENATE CHAMBER, SACRAMENTO, CAL.,

Saturday, January 8, 1916.

Pursuant to adjournment, the Senate met at eleven o'clock a.m.

Lieutenant Governor John M. Eshleman, President of the Senate, in the chair.

Secretary Edwin F. Smith at the desk.

The roll was called, and the following answered to their names:

Senators Ballard, Benson, Breed, Brown, Butler, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, and Tyrrell—31.

Quorum present.

## PRAYER.

Prayer was offered by Rev. Father Henry I. Stark, Chaplain of the Senate.

## READING OF THE JOURNAL.

During the reading of the Journal of Friday, January 7, 1916, the further reading was dispensed with, on motion of Senator Rush.

## LEAVES OF ABSENCE.

Senator Beban was, on motion of Senator Crowley, granted leave of absence for this day.

Senator Campbell was, on motion of Senator Maddux, granted leave of absence for this day.

Senator Benedict was, on motion of Senator Thompson, granted leave of absence for this legislative day.

## MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, January 8, 1916.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Assembly Joint Resolution No. 2—Relating to federal aid for indigent persons afflicted with tuberculosis in state or other institutions, when such persons are non-residents of the state in which such institutions are located.

L. B. MALLORY, Chief Clerk of Assembly.

By M. STERN, Assistant Chief Clerk.

Assembly Joint Resolution No. 2 referred to Committee on Federal Relations.

## RECESS.

At eleven o'clock and forty minutes a.m., on motion of Senator Thompson, the President declared the Senate at recess until two o'clock p.m.

## RECONVENED.

At two o'clock p.m. the Senate reconvened.

Lieutenant Governor John M. Eshleman, President of the Senate, in the chair.

Assistant Secretary J. W. Kavanagh at the desk.

## REPORTS OF STANDING COMMITTEES.

The following report of standing committee was received and read:

## ON FEDERAL RELATIONS.

SENATE CHAMBER, SACRAMENTO, January 8, 1916.

MR. PRESIDENT: Your Committee on Federal Relations, to which was referred Assembly Joint Resolution No. 2—Relating to federal aid for indigent persons afflicted with tuberculosis in state or other institutions, when such persons are non-residents of the state in which such institutions are located—has had the same under consideration, and respectfully recommends that it is adopted.

RUSSELL, Chairman.

Assembly Joint Resolution No. 2 ordered on file.

## MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were received and read:

ASSEMBLY CHAMBER, SACRAMENTO, January 8, 1916.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Assembly Concurrent Resolution No. 2—Relative to inviting justices of the Supreme Court and of the District Courts of Appeal, judges of the Superior Courts, California Bar Association and the various county bar associations to submit to the Legislature suggestions as to changes that may be necessary to prevent delays incident to litigation in this State.

L. R. MALLORY, Chief Clerk of Assembly.  
By M. STERN, Assistant Chief Clerk.

## CONSIDERATION OF CONCURRENT RESOLUTION—(OUT OF ORDER).

Senator Luce asked for and was granted unanimous consent for the consideration at this time of Assembly Concurrent Resolution No. 2, without reference to committee.

## ASSEMBLY CONCURRENT RESOLUTION NUMBER TWO.

Relative to inviting justices of the Supreme Court and of the District Courts of Appeal, judges of the Superior Courts, California Bar Association and the various county bar associations to submit to the Legislature suggestions as to changes that may be necessary to prevent delays incident to litigation in this State.

WHEREAS, The practice of appealing to the District Courts of Appeal and to the Supreme Court of the State of California has increased so rapidly that an action appealed from the Superior Courts is not ordinarily determined for a period of at least two years after such appeal is taken from the Superior Court; and

WHEREAS, A litigant whom a judgment has been obtained in the Superior Court, by taking an appeal to a higher court, without regard to the merits of the case, may unnecessarily and unreasonably delay, and in many instances actually defeat, the ends of justice; and

WHEREAS, Such delay and uncertainty as to the rights of litigants and prospective litigants is destructive both of individual rights and of that respect and obedience to the law which is the desideratum of good government; therefore, be it

*Resolved by the Assembly, the Senate concurring.* That the justices of the Supreme Court, the justices of the District Courts of Appeal, and the judges of the Superior Courts of the State of California, the California Bar Association, and the bar associations of the various counties be, and they hereby are, invited and requested to submit to the Legislature at its forty-second section such recommendations as they may consider necessary in order to avoid as far as possible the dilatory practices and delays hereinbefore set forth; and be it further

*Resolved,* That the Chief Clerk of the Assembly be, and he is hereby, directed to send a copy of this resolution to each of the justices and judges of the various courts hereinbefore referred to, to the Secretary of the California Bar Association and to the secretary of every county bar association in this State.

Resolution read.

The question being on the adoption of the resolution.

The roll was called and Senate Concurrent Resolution No. 1 adopted by the following vote:

AYES—Senators Benson, Brown, Butler, Carr, Chandler, Cogswell, Cohn, Crowley, Flaherty, Flint, Gerdes, King, Luce, Lyon, Maddux, Mott, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbrnek, Thompson, and Tyrrell—23.

NOES—None.

Assembly Concurrent Resolution No. 1 ordered transmitted to the Assembly.

#### APPROVAL OF JOURNAL.

On motion of Senator Thompson the Journals of Wednesday, January 5, 1916, Thursday, January 6, 1916, and Friday, January 7, 1916, were approved as corrected.

#### RECESS.

At two o'clock and thirty-five minutes p.m., on motion of Senator Thompson, the President declared the Senate at recess until three o'clock p.m. of this day.

#### RECONVENED.

At three o'clock p.m., the Senate reconvened.

Lieutenant Governor, John M. Eshleman, President of the Senate, in the chair.

Assistant Secretary J. W. Kavanagh at the desk.

#### CONSIDERATION OF JOINT RESOLUTION—(OUT OF ORDER).

Senator Jones asked for and was granted unanimous consent for the consideration at this time of Assembly Joint Resolution No. 2.

#### ASSEMBLY JOINT RESOLUTION NUMBER TWO.

Relating to federal aid for indigent persons afflicted with tuberculosis in state or other institutions, when such persons are non-residents of the state in which such institutions are located.

WHEREAS, The State of California has made such provision as its resources allow for the proper care in public institutions of patients afflicted with tuberculosis of the lungs; and

WHEREAS, Many thousands of patients afflicted with tuberculosis come to this State from other states, many of whom become a charge on state and municipal funds; and

WHEREAS, There has been introduced in Congress a bill providing federal aid for indigent non-resident tuberculosis patients cared for in hospitals which conform to the hygienic standard established by the United States treasury department: now, therefore, be it

*Resolved by the Assembly and Senate of the State of California, jointly,* That we consider the proposed measure to be of the greatest importance to this State and to the whole nation and express the hope that it may become law at the present session of Congress; and be it further.

*Resolved,* That our Senators and Representatives in Congress be and they are hereby requested to use all honorable means to expedite and secure the passage of said bill; be it further

*Resolved,* That the Chief Clerk of the Assembly be and he is hereby directed to transmit a certified copy of these resolutions to the President and Speaker respectively of the Senate and House of Representatives and to each of our Senators and Representatives in Congress.

Resolution read.

The question being on the adoption of the resolution.

The roll was called and Assembly Joint Resolution No. 1 adopted by the following vote:

**AYES**—Senators Benson, Brown, Butler, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Flaherty, Flint, Gerdes, Jones, Kehoe, King, Lnee, Lyon, Maddux, Rush, Scott, Shearer, Strobridge, Thompson, and Tyrrell—24.

**NOES**—None.

Assembly Joint Resolution No. 1 ordered transmitted to the Assembly.

#### RECESS.

At three o'clock and five minutes p.m., on motion of Senator Strobridge, the President declared the Senate at recess until seven o'clock and thirty minutes p.m.

#### RECONVENED.

At seven o'clock and thirty minutes p.m. the Senate reconvened.

Hon. Newton W. Thompson, President pro tem. of the Senate, in the chair.

Assistant Secretary J. W. Kavanagh at the desk.

#### MESSAGES FROM THE ASSEMBLY.

The following message from the Assembly was taken up and read.

ASSEMBLY CHAMBER, SACRAMENTO, January 8, 1916.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1—An act to amend an act entitled "An act to provide for and regulate primary elections, and providing a method for choosing the delegates for political parties to state conventions and for nominating electors of President and Vice President of the United States, and providing for the election of party county central committees, and to repeal the act approved April 7, 1911, known as the Direct Primary Law, and also to repeal the act approved December 24, 1911, amending sections one, three, five, seven, ten, twelve, thirteen, twenty-two, twenty-three, and twenty-four of the said Direct Primary Law, and also to repeal all other acts or parts of acts inconsistent with or in conflict with the provisions of this act"; approved June 16, 1913, by amending sections one, two, four, five, seven, nine, ten, twelve, thirteen, sixteen, seventeen, nineteen, twenty-one, twenty-two, twenty-three, twenty-four, twenty-five, twenty-eight, thirty, and thirty-three thereof;

Also: Assembly Bill No. 2—An act to amend sections three, six, and nine of an act entitled "An act to provide for the indication by the registered qualified electors of their choice for nomination by their respective political parties for President of the United States through the election of the delegates of said political parties to their respective national conventions, and to repeal an act approved December 24, 1911, known as the Presidential Primary Act, and also to repeal all other acts or parts inconsistent with or in conflict with the provisions of this act," approved April 28, 1915, and to add a new section to said act, calling and providing for a presidential primary election to be held on the second day of May, 1916, said new section to be known and designated as section thirteen.

L. B. MALLORY, Chief Clerk of Assembly.  
By M. STERN, Assistant Chief Clerk.

Assembly Bills Nos. 1 and 2 read first time, and referred to Committee on Elections.

#### ADJOURNMENT.

At eight o'clock and ten minutes p.m., on motion of Senator Slater, the President pro tem. declared the Senate adjourned until Sunday, January 9, 1916, at eleven o'clock a.m.

## IN SENATE.

SENATE CHAMBERS, SACRAMENTO, CAL.,

Sunday, January 9, 1916.

Pursuant to adjournment the Senate met at eleven o'clock a.m.

Lieutenant Governor John M. Eshleman, President of the Senate, in the chair.

Assistant Secretary J. W. Kavanagh at the desk.

The roll was called and the following answered to their names:

Senators Ballard, Benson, Brown, Butler, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, Luce, Lyon, Maddux, Mott, Rush, Scott, Slater, Stuckenbruck, Thompson and Tyrrell—26.

Quorum present.

## PRAYER.

Prayer was offered by Rev. Father Henry I. Stark, Chaplain of the Senate.

## READING OF THE JOURNAL.

During the reading of the Journal of Saturday, January 8, 1916, the further reading was dispensed with on motion of Senator Rush.

## LEAVES OF ABSENCE.

Senator Beban was, on motion of Senator Crowley, granted leave of absence for this day.

Senators Benedict and Purkitt were, on motion of Senator Thompson, granted leave of absence for this day.

Senator King was, on motion of Senator Flint, granted leave of absence for this day.

Senator Campbell was, on motion of Senator Maddux, granted leave of absence for this day.

Senators Breed, Strobridge and Hans were, on motion of Senator Tyrrell, granted leave of absence for this day.

Senators Birdsall, Owens and Shearer were, by order of the President, granted leave of absence for this day.

## REPORTS OF STANDING COMMITTEE.

The following reports of standing committee were received and read:

## ON ELECTIONS.

SENATE CHAMBER, SACRAMENTO, January 9, 1916.

MR. PRESIDENT: Your Committee on Elections to whom was referred Assembly Bill No. 1—An act to amend an act entitled "An act to provide for and regulate primary elections, and providing a method for choosing the delegates for political parties to state conventions and for nominating electors of President and Vice President of the United States, and providing for the election of party county central committees, and to repeal the act approved April 7, 1911, known as the Direct Primary Law, and also to repeal the act approved December 24, 1911, amending sections one, three, five, seven, ten, twelve, thirteen, twenty-two, twenty-three, and twenty-four of the said Direct Primary Law, and also to repeal all other acts or parts of acts inconsistent with or in conflict with the provisions of this act"; approved June 16, 1913, by amending sections one, two, four, five, seven, nine, ten, twelve, thirteen, sixteen, seventeen, nineteen, twenty-one, twenty-two, twenty-three, twenty-four, twenty-five, twenty-eight, thirty, and thirty-three thereof—have had the same under consideration, and respectfully report the same back with amendments and recommend that it do pass as amended.

BENSON, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, January 9, 1916.

MR. PRESIDENT: Your Committee on Elections to whom was referred Assembly Bill No. 2—An act to amend sections three, six, and nine of an act entitled "An act to provide for the indication by the registered qualified electors of their choice for nomination by their respective political parties for President of the United States through the election of the delegates of said political parties to their respective national conventions, and to repeal an act approved December 24, 1911, known as the Presidential Primary Act, and also to repeal all other acts or parts inconsistent with or in conflict with the provisions of this act," approved April 28, 1915, and to add a new section to said act, calling and providing for a presidential primary election to be held on the second day of May, 1916, said new section to be known and designated as section thirteen—have had the same under consideration, and respectfully recommend that it do pass.

BENSON, Chairman.

Assembly Bills Nos. 1 and 2 ordered on file for second reading.

#### SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 1—An act to amend an act entitled "An act to provide for and regulate primary elections, and providing a method for choosing the delegates for political parties to state conventions and for nominating electors of President and Vice President of the United States, and providing for the election of party county central committees, and to repeal the act approved April 7, 1911, known as the Direct Primary Law, and also to repeal the act approved December 24, 1911, amending sections one, three, five, seven, ten, twelve, thirteen, twenty-two, twenty-three, and twenty-four of the said Direct Primary Law, and also to repeal all other acts or parts of acts inconsistent with or in conflict with the provisions of this act"; approved June 16, 1913, by amending sections one, two, four, five, seven, nine, ten, twelve, thirteen, sixteen, seventeen, nineteen, twenty-one, twenty-two, twenty-three, twenty-four, twenty-five, twenty-eight, thirty, and thirty-three thereof.

#### COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

##### AMENDMENT NUMBER ONE.

Strike out of page 21 of the printed bill all of line 14 following the period, all of lines 15 to 21 inclusive, and all of line 22, down to and including the period and insert in lieu thereof the following: "The names of the parties at the heads of the party columns shall be arranged in alphabetical order for the First Assembly District; and thereafter for each succeeding Assembly District, the party column appearing first in the last preceding Assembly District shall be placed last, the order of the other party columns remaining unchanged."

Amendment adopted.

##### AMENDMENT NUMBER TWO.

Strike out of page 32 of the printed bill the last word in line 16, all of line 17 and all of line 18, down to and including the word "eighty-two" and insert in lieu thereof the words "and one thousand two hundred sixty-eight".

Amendment adopted.

##### AMENDMENT NUMBER THREE.

On page 33 in line 17 of the printed bill insert before the semi-colon the following: "; provided, however, that in entering the statement of such result, the provisions of subdivision six of section one thousand two hundred eighty-two of the Political Code shall apply".

Amendment adopted.

## AMENDMENT NUMBER FOUR.

On page 38, line 5 of the printed bill, after the word "vacancy" insert the words "in the membership of such convention".

Amendment adopted.

## AMENDMENT NUMBER FIVE.

On page 38 of the printed bill insert before the word "vacaney" in line 6. the word "such".

Amendment adopted.

## AMENDMENT NUMBER SIX.

On page 45 of the printed bill strike out of line 7 the word "forty-seven" and insert in lieu thereof the word "twenty-seven".

Amendment adopted.

Bill read second time, and ordered to print, and third reading.

Assembly Bill No. 2—An act to amend sections three, six, and nine, of an act entitled "An act to provide for the indication by the registered qualified electors of their choice for nomination by their respective political parties for President of the United States through the election of the delegates of said political parties to their respective national conventions, and to repeal an act approved December 24, 1911, known as the Presidential Primary Act, and also to repeal all other acts or parts inconsistent with or in conflict with the provisions of this act," approved April 28, 1915, and to add a new section to said act calling and providing for a presidential primary election to be held on the second day of May, 1916, said new section to be known and designated as section thirteen.

Bill read second time, and ordered on file for third reading.

## ADJOURNMENT.

At eleven o'clock and forty-five minutes a.m., on motion of Senator Thompson, the President declared the Senate adjourned.

## IN SENATE.

SENATE CHAMBER, SACRAMENTO, CAL.,

Monday, January 10, 1916.

The Senate met at ten o'clock a.m.

Lieutenant Governor John M. Eshleman, President of the Senate, in the chair.

Secretary Edwin F. Smith at the desk.

The roll was called, and the following answered to their names:

Senators Ballard, Benson, Birdsall, Breed, Brown, Butler, Carr, Chandler, Cogswell, Colm, Crowley, Duncan, Flaherty, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, and Tyrrell—34.

Quorum present.

## PRAYER.

Prayer was offered by Rev. Father Henry I. Stark, Chaplain of the Senate.

## READING OF THE JOURNAL.

During the reading of the Journal of Sunday, January 9, 1916, the further reading was dispensed with, on motion of Senator Rush.

## LEAVES OF ABSENCE.

Senator Beban was, on motion of Senator Crowley, granted leave of absence for this day.

Senator Benedict was, on motion of Senator Thompson, granted leave of absence for this day.

Senator Campbell was, on motion of Senator Maddux, granted leave of absence for this day.

## THIRD READING OF SENATE BILLS.

Assembly Bill No. 1—An act to amend an act entitled "An act to provide for and regulate primary elections, and providing a method for choosing the delegates for political parties to state conventions and for nominating electors of President and Vice President of the United States, and providing for the election of party county central committees, and to repeal the act approved April 7, 1911, known as the Direct Primary Law, and also to repeal the act approved December 24, 1911, amending sections one, three, five, seven, ten, twelve, thirteen, twenty-two, twenty-three, and twenty-four of the said Direct Primary Law, and also to repeal all other acts or parts of acts inconsistent with or in conflict with the provisions of this act"; approved June 16, 1913, by amending sections one, two, four, five, seven, nine, ten, twelve, thirteen, sixteen, seventeen, nineteen, twenty-one, twenty-two, twenty-three, twenty-four, twenty-five, twenty-eight, thirty, and thirty-three thereof.

Bill read third time.

## MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Irwin moved to refer Assembly Bill No. 1 to Senator Stuckenbruck, as a Special Committee of One, to amend as follows:

## AMENDMENT NUMBER ONE.

Strike out all of said bill after the enacting clause on page one thereof, and substitute the following:

"SECTION 1. Sections fifteen, sixteen and seventeen, of an act entitled 'An act to provide for and regulate primary elections, and providing a method for choosing the delegates for political parties to state conventions, and for nominating electors of President and Vice President of the United States, and providing for the election of party county central committees, and to repeal the act approved April 7, 1911, known as the Direct Primary Law, and also to repeal the act approved December 24, 1911, amending sections one, three, five, seven, ten, twelve, thirteen, twenty-two, twenty-three and twenty-four of the said Direct Primary Law, and also to repeal all other acts or parts of acts inconsistent with or in conflict with the provisions thereof,' approved June 16, 1913, are hereby amended to read as follows:

Sec. 15. The officers for primary elections shall be the same, and shall be appointed in the same manner, as provided by law for general elections, and such officers shall receive the same compensation for their services at primary elections as provided by law for general elections.

It shall be the duty of the proper officers to furnish the original affidavits of registration and indexes for use at primary elections, which shall show the names of all voters entitled to vote at such primary elections, and shall be numbered, for purposes of the primary election, in like manner as provided in section one thousand one hundred thirteen of the Political Code, and said affidavits, registration of voters and indexes shall be made, prepared and kept as follows:

The affiant making the affidavit of registration must be a citizen of the United States at least ninety days prior to the next succeeding election, and be at least

twenty-one years of age at the time of such election, and may state in such affidavit the name of any political party or organization with which he intends to affiliate at the ensuing primary election, whether or not such party or organization is a party or organization qualified, at the time of such registration, to participate in such primary election according to the provisions of the Direct Primary Law. Such affidavit must also show:

1. The name at length, including Christian or given name, and middle name, or initial, if any, said Christian or given name, if the name of a woman, to be preceded by the designation of Miss or Mrs., as the case may be.

2. The sex.

3. The occupation.

4. The height.

5. The country or state of nativity.

6. The place of residence of the elector (giving ward and precinct); and in municipal corporations, by specifying the name of the street, avenue, or other location of the dwelling of such elector, with the number of such dwelling, if the same has a number, and if not, then with such description of the place that it can be readily ascertained and identified. If the elector be not the proprietor or head of the house, or the wife or husband of such proprietor, then it must show that fact, and upon what floor thereof, and what room such elector occupies in such house.

7. If naturalized, the place of naturalization.

8. If the elector has acquired citizenship by marriage, the date or year and place of such marriage, and the name of the person to whom married.

9. The date of entry of each person.

10. The post office address.

11. The fact whether or not the elector desiring to be registered is able to read the constitution in the English language and to write his name, and whether or not the elector has any physical disability, by reason of which he can not mark his ballot; and if he can not mark his ballot by reason of physical disability, then the nature of such disability must be entered.

Sec. 16. Any elector offering to vote at a primary election may be challenged by any elector of the city, city and county or county, upon either or all of the grounds specified in section one thousand two hundred thirty of the Political Code, but his right to vote the primary election ticket of the political party designated in his affidavit of registration, as provided by this act, or his right to vote the non-partisan primary ticket providing no such party is so designated, shall not be challenged on any ground or subjected to any tests other than those provided by the constitution and section one thousand two hundred thirty of the Political Code of this state.

Sec. 17. Any elector qualified to take part in any primary election, who has, at least thirty days before the day of such primary election, qualified by registration, as provided by this act, shall be entitled to vote at such primary election, such right to vote being subject to challenge only as hereinbefore provided; and shall, on writing his name or having it written for him on the roster, as provided by law for general elections in this state, receive the official primary election ballot of the political party designated in his affidavit of registration; or the non-partisan ballot, providing no such party was so designated, and no other; *provided, however,* that no one shall be entitled to vote at any primary election who has not been a resident of the state one year, and of the county ninety days, preceding the day upon which such primary election is held. He shall be instructed by a member of the board as to the proper method of marking and folding his ballot, and he shall then retire to an unoccupied booth and without undue delay stamp the same with the rubber stamp there found. If he shall spoil or deface the ballot he shall at once return the same to the ballot clerk and receive another.

Sec. 2. All acts or parts of acts inconsistent with or in conflict with the provisions of this act, are hereby repealed."

#### POINT OF ORDER.

The President announced that for the same reason that he had ruled Senate Bills Nos. 8 and 9 out of order, as being without the scope of the call for this extraordinary session, the motion of Senator Irwin to refer to Special Committee of One was also out of order.

#### APPEAL FROM DECISION OF THE CHAIR.

Senator Irwin appealed from the decision of the Chair.

The President put the question, "Shall the decision of the President stand as the decision of the Senate?"

## AYES AND NOES DEMANDED.

A roll call was demanded by Senators Duncan, Irwin, and Shearer. Thereupon the Secretary was directed to call the roll.

The roll was called and the decision of the President sustained by the following vote:

AYES—Senators Benson, Birdsall, Breed, Brown, Butler, Carr, Chandler, Cogswell, Cohn, Crowley, Flint, Jones, Kehoe, Luce, Lyon, Maddux, Mott, Rush, Scott, Slater, Thompson, and Tyrrell—22.

NOES—Senators Ballard, Duncan, Irwin, Shearer, and Stuckenbruck—5.

## HOUR OF RECESS EXTENDED.

At twelve o'clock and thirty minutes p.m., unanimous consent having been accorded thereto, the President ordered the hour of recess extended until twelve o'clock and fifty-five minutes p.m.

## RECESS.

At twelve o'clock and forty-five minutes p.m., on motion of Senator Dunan, the President declared the Senate at recess until two o'clock p.m. of this day.

## RECONVENED.

At two o'clock p.m., the Senate reconvened.

Lieutenant Governor John M. Eshleman, President of the Senate, in the chair.

Secretary Edwin F. Smith at the desk.

## INTRODUCTION OF CONCURRENT RESOLUTION—(OUT OF ORDER).

By leave of the Senate, the following concurrent resolution was offered, out of the regular order:

By Senator Strobridge:

*Resolved by the Senate, the Assembly concurring, That the forty-first (extra) session of the Legislature of the State of California adjourn sine die at nine o'clock p.m., Monday January tenth, nineteen hundred sixteen.*

Resolution ordered to print, without reference to committee.

## SENATOR STROBRIDGE IN THE CHAIR.

At three o'clock and thirty minutes p.m., Senator Strobridge of the Thirteenth District was called to the chair.

## LIEUTENANT GOVERNOR IN THE CHAIR.

At three o'clock and forty minutes p.m., Lieutenant Governor John M. Eshleman, President of the Senate, in the chair.

## LEAVE OF ABSENCE.

At his own request, Senator King was granted leave of absence from the hour of four o'clock and thirty minutes p.m. for the balance of this legislative day.

ASSISTANT SECRETARY J. W. KAVANAGH AT THE DESK.

CONSIDERATION OF ASSEMBLY BILL NUMBER ONE—(RESUMED).

The question being on the passage of the bill.

The roll was called and Assembly Bill No. 1 passed by the following vote:

AYES—Senators Benson, Birdsall, Breed, Brown, Butler, Carr, Chandler, Cogswell, Cohn, Crowley, Flaherty, Flint, Gerdes, Jones, Kehoe, Luce, Lyon, Maddux, Mott, Rush, Scott, Slater, Strobridge, Thompson, and Tyrrell—25.

NOES—Senators Ballard, Duncan, Hans, Irwin, King, Purkitt, Shearer, and Stuckenbruck—8.

Title read and approved.

Bill ordered transmitted to the Assembly.

EXPLANATION OF VOTE.

Senator Slater asked for and was granted unanimous consent to have the following explanation of his vote on Assembly Bill No. 1 printed in the Journal:

If there had been a proposition whereby party registration could have been restored at this extraordinary session, I should have preferred and would have supported it. But the Governor's call precludes any change of the registration law which was not placed on the referendum, and the opinion of the Attorney General sustains the latter contention. Therefore, I vote for these bills as the only alternative to straighten out the election tangle and believe the will of the people as expressed against non-partisanship, is being upheld in the provision the bills make for declaration of party at the primary instead of at time of registration, in so far as the scope of the call for this special session allows.

HERBERT W. SLATER.

SECRETARY EDWIN F. SMITH AT THE DESK.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 2—An act to amend sections three, six, and nine of an act entitled "An act to provide for the indication by the registered qualified electors of their choice for nomination by their respective political parties for President of the United States through the election of the delegates of said political parties to their respective national conventions, and to repeal an act approved December 24, 1911, known as the Presidential Primary Act, and also to repeal all other acts or parts inconsistent with or in conflict with the provisions of this act," approved April 28, 1915, and to add a new section to said act, calling and providing for a presidential primary election to be held on the second day of May, 1916, said new section to be known and designated as section thirteen.

Bill read third time.

The question being on the passage of the bill.

The roll was called and Assembly Bill No. 2 passed by the following vote:

AYES—Senators Benson, Birdsall, Breed, Brown, Butler, Carr, Chandler, Cogswell, Cohn, Crowley, Flaherty, Flint, Gerdes, Jones, Kehoe, Luce, Lyon, Maddux, Mott, Rush, Scott, Slater, Strobridge, Thompson, and Tyrrell—25.

NOES—Senators Ballard, Duncan, Hans, Irwin, Owens, Purkitt, Shearer, and Stuckenbruck—8.

Title read and approved.

Bill ordered transmitted to the Assembly.

## CONSIDERATION OF CONCURRENT RESOLUTION—(OUT OF ORDER).

Senator Strobridge asked for and was granted unanimous consent for the consideration at this time of Senate Concurrent Resolution No. 4.

## SENATE CONCURRENT RESOLUTION NUMBER FOUR,

Relative to adjournment *sine die*.

*Resolved by the Senate, the Assembly concurring.* That the forty-first (extra) session of the Legislature of the State of California adjourn *sine die* at nine o'clock p.m., Monday, January tenth, nineteen hundred sixteen.

Resolution read.

At the request of Senator Strobridge, Senate Concurrent Resolution No. 4 was passed on file for further consideration.

## RESOLUTIONS.

The following resolutions were offered:

By the Committee on Contingent Expenses:

*Resolved.* That the Controller be and he is hereby authorized to draw his warrant in favor of Thos. A. Brown, Sergeant-at-Arms, for eight dollars (\$8.00) and James B. Newson, Bookkeeper to the Sergeant-at-Arms, for five dollars (\$5.00), payable out of the appropriation for pay of officers and clerks of the Senate, for services to be rendered after the close of this extraordinary session of the Legislature, and the Treasurer is directed to pay the same.

LYON, Chairman.

Resolution read.

Senator Lyon moved that the resolution be adopted.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Ballard, Benson, Birdsall, Breed, Brown, Butler, Carr, Chandler, Cogswell, Cohn, Crowley, Flaherty, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, and Tyrrell—32.

NOES—None.

Also by Committee on Contingent Expenses:

*Resolved.* That the Controller be, and he is hereby, authorized and directed to draw his warrant on the Contingent Fund of the Senate, in the sum of forty-eight dollars and fifty-six cents (\$48.56) in favor of Edwin F. Smith, Secretary, to pay the amounts as itemized below, and the State Treasurer is hereby directed to pay the same:

Cascade Towel Supply, 550 towels at 40c per 100-----	\$2.20
Remington Typewriter Co., rent of 1 typewriter-----	1.50
Underwood Typewriter Co., rent of 3 typewriters and stands-----	5.25
American Cash Store, 1 case matches-----	2.75
Sleeper Stamp Co., 6 stamps at 35c-----	2.10
Superintendent Capitol Bldg. and Grounds, stationery and supplies-----	31.76
Pacific Telephone and Telegraph Co., rent of 3 phones at \$1.00-----	3.00
	\$48.56

LYON, Chairman.

Resolution read.

Senator Lyon moved that the resolution be adopted.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Ballard, Benson, Birdsall, Breed, Brown, Butler, Carr, Chandler, Cohn, Crowley, Duncan, Flaherty, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, and Tyrrell—32.

NOES—None.

Also by Senator Benson:

*Resolved.* That the State Printer be, and he hereby is, instructed to print ten thousand annotated and indexed copies of the Direct Primary Law and of the

Presidential Primary Law passed at the forty-first session of the Legislature, as amended at this extraordinary session, said acts to be bound together in one pamphlet; and be it further

*Resolved*, That the Secretary of State is hereby authorized to receive the same for public distribution; and that ten copies of said combined acts be sent to each member of the Legislature; and be it further

*Resolved*, That the author of said acts be requested to assist in the annotating and indexing thereof, such work to be performed without compensation.

Resolution read.

Senator Benson moved that the resolution be adopted.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Ballard, Benson, Birdsall, Breed, Brown, Butler, Carr, Chandler, Cohn, Crowley, Duncan, Flaherty, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, and Tyrrell—32.

NOES—None.

RECESS.

At four o'clock and forty minutes p.m., on motion of Senator Thompson, the President declared the Senate at recess until five o'clock p.m.

RECONVENED.

At five o'clock p.m. the Senate reconvened.

Lieutenant Governor John M. Eshleman, President of the Senate, in the chair.

Secretary Edwin F. Smith at the desk.

RECESS.

At five o'clock and twenty minutes p.m., on motion of Senator Thompson, the President declared the Senate at recess until five o'clock and thirty minutes p.m.

RECONVENED.

At five o'clock and thirty minutes p.m. the Senate reconvened.

Lieutenant Governor John M. Eshleman, President of the Senate, in the chair.

Assistant Secretary J. W. Kavanagh at the desk.

RECESS.

At five o'clock and thirty-five minutes p.m., on motion of Senator Thompson, the President declared the Senate at recess until eight o'clock p.m.

RECONVENED.

At eight o'clock p.m. the Senate reconvened.

Lieutenant Governor John M. Eshleman, President of the Senate, in the chair.

Assistant Secretary J. W. Kavanagh at the desk.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, January 10, 1916.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate Amendments to Assembly Bill No. 1—An act to amend an act entitled "An act to provide for and regulate primary elections, and

providing a method for choosing the delegates for political parties to state conventions and for nominating electors of President and Vice President of the United States, and providing for the election of party county central committees, and to repeal the act approved April 7, 1911, known as the Direct Primary Law, and also to repeal the act approved December 24, 1911, amending sections one, three, five, seven, ten, twelve, thirteen, twenty-two, twenty-three, and twenty-four of the said Direct Primary Law, and also to repeal all other acts or parts of acts inconsistent with or in conflict with the provisions of this act," approved June 16, 1913, by amending sections one, two, four, five, seven, nine, ten, twelve, thirteen, sixteen, seventeen, nineteen, twenty-one, twenty-two, twenty-three, twenty-four, twenty-five twenty-eight, thirty, and thirty-three thereof.

L. B. MALLORY, Chief Clerk of Assembly.  
By M. STERN, Assistant Chief Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, January 10, 1916.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 4—An act to authorize and empower the board of trustees of the San Francisco State Normal School to sell or exchange and convey the lands and buildings of said school; to acquire by purchase, gift, condemnation or otherwise a new site for said school and to erect thereon buildings suitable and appropriate therefor, or to remodel or reconstruct any building already erected, on the site so purchased or acquired, and to purchase therefor necessary and appropriate furniture and equipment; to create a fund into which shall be paid the proceeds of the sale of the present school property and making an appropriation to carry out the purposes of this act;

Also: Senate Bill No. 3—An act authorizing the city and county of San Francisco to close and abandon certain public streets, or parts of public streets, in the city and county and to transfer title thereto to the State of California;

Also: Senate Bill No. 5—An act to provide for the disposition of any money or other property accruing to or to be received by the State of California as its proportionate share of the returns from the holding of the Panama-Pacific International Exposition;

Also: Senate Bill No. 6—An act to amend section one of an act entitled "An act giving and granting to the Board of Park Commissioners of the city of San Diego the right to use and the right to authorize the use of Balboa Park in said city for exposition purposes," approved March 24, 1911, extending the terms of said section to the year 1916;

Also: Senate Bill No. 7—An act appropriating fifty thousand dollars for the completion, maintenance and repair of the California State Building at the Panama-California International Exposition.

L. B. MALLORY, Chief Clerk of Assembly.  
By M. STERN, Assistant Chief Clerk.

Senate Bills Nos. 3, 4, 5, 6 and 7 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, January 10, 1916.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Assembly Joint Resolution No. 3—Relative to the construction and maintenance of national military highways.

L. B. MALLORY, Chief Clerk of Assembly.  
By M. STERN, Assistant Chief Clerk.

#### CONSIDERATION OF ASSEMBLY JOINT RESOLUTION—(OUT OF ORDER).

Senator Scott asked for and was granted unanimous consent for the consideration at this time of Assembly Joint Resolution No. 3, without reference to committee.

#### ASSEMBLY JOINT RESOLUTION NUMBER THREE.

WHEREAS, There has been introduced in Congress by the Hon. William D. Stephens of Los Angeles, a bill providing for the construction and maintenance of National Military Highways to be used in times of war for the mobilization of troops, and for the transportation of supplies and munitions; and

WHEREAS, The said bill contemplates the utilization of said highways for all highway purposes in times of peace, thus affording a great convenience and benefit to many sections, and all classes of citizens of the United States; and

WHEREAS, Said bill provides for the location of said highway across the northern and southern frontiers of our country and along the eastern and western coast lines, all laterals of which are to be connected with strategic points from the interior; and

WHEREAS, The skill and energy of the engineers and the personnel of our standing army can be used profitably to the end that our country and our state will be greatly benefited; and

WHEREAS, The automobile has become a great factor in modern means of transportation, as is evidenced by their use in the warring nations of Europe; and

WHEREAS, Preparedness can not be complete without the utilization of motor vehicles, and a national highway system commensurate with the exigencies of a great war problem; therefore be it

*Resolved*, That the Assembly and the Senate jointly, of the State of California, do most earnestly urge the Congress of the United States to adopt the said measure now pending before it; and be it further

*Resolved*, That a copy of these resolutions be sent to the Hon. Lindley M. Garrison, Secretary of War, the Hon. William D. Stephens, and to His Excellency, Woodrow Wilson, President of the United States, as well as to our representatives in the Senate and House of Representatives of the United States of America.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Assembly Joint Resolution No. 3 adopted by the following vote:

AYES—Senators Ballard, Benson, Brown, Butler, Carr, Cogswell, Cohn, Crowley, Flaherty, Flint, Gerdes, Jones, Kehoe, Luce, Lyon, Mott, Rush, Scott, Slater, Strobridge, and Thompson—21.

NOES—None.

Joint resolution ordered transmitted to the Assembly.

#### MESSAGES FROM THE ASSEMBLY—(RESUMED).

ASSEMBLY CHAMBER, SACRAMENTO, January 10, 1916.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Assembly Joint Resolution No. 4—Relative to unemployment.

L. B. MALLORY, Chief Clerk of Assembly.  
By M. STERN, Assistant Chief Clerk.

#### CONSIDERATION OF ASSEMBLY JOINT RESOLUTION—(OUT OF ORDER).

Senator Flaherty asked for and was granted unanimous consent for the consideration at this time of Assembly Joint Resolution No. 4, without reference to committee.

#### ASSEMBLY JOINT RESOLUTION NUMBER FOUR.

Relative to unemployment.

WHEREAS, The United States Department of Labor has, during the past year, conducted an extensive system of labor exchanges, receiving eighty-eight thousand applications for work, fifty-seven thousand of which could not be filled; and

WHEREAS, The department, as a partial solution of the problem, has recommended in its third annual report that the public land tenure be so regulated as to insure to the settler the entire product of his labor through government retention of title, together with financial aid to such of the unemployed as may take up holdings on the public domain; now, therefore, be it

*Resolved by the Assembly and Senate of the State of California, jointly*, That we do hereby endorse the proposed plan as eminently practicable and as marking definite progress toward the solution of the unemployment problem; and be it further

*Resolved*, That the Chief Clerk of the Assembly be and he hereby is instructed to forward a copy of these resolutions to the United States Secretary of Labor.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Assembly Joint Resolution No. 4 adopted by the following vote:

AYES—Senators Benson, Brown, Butler, Carr, Cohn, Crowley, Duncan, Flaherty, Flint, Gerdes, Jones, Kehoe, Luce, Lyon, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, and Thompson—21.

NOES—None.

Joint resolution ordered transmitted to the Assembly.

## CONSIDERATION OF SENATE CONCURRENT RESOLUTION—(OUT OF ORDER).

Senator Strobridge asked for and was granted unanimous consent for the consideration at this time, out of the regular order, of Senate Concurrent Resolution No. 4.

## SENATE CONCURRENT RESOLUTION NUMBER FOUR.

Relative to adjournment *sine die*.

*Resolved by the Senate, the Assembly concurring, That the forty-first (extra) session of the Legislature of the State of California adjourn *sine die* at nine o'clock p.m., Monday, January tenth, nineteen hundred sixteen.*

## AMENDMENT FROM THE FLOOR.

The following amendment was offered and its adoption moved by Senator Strobridge:

## AMENDMENT NUMBER ONE.

Amend Senate Concurrent Resolution No. 4 by striking out on line 3 all after the word "at" and all of line 4, and insert in lieu thereof "twelve o'clock, noon, Tuesday, January eleventh, nineteen hundred sixteen."

Amendment adopted.

Resolution ordered to print.

## RESOLUTION.

The following resolution was offered:

By the Committee on Contingent Expenses:

WHEREAS, It is necessary to employ certain statutory legislative employees of the Superintendent of Capitol Building and Grounds during the special session of the Legislature to properly accommodate said body, and also to do certain necessary clean-up work of the legislative chamber and committee rooms after adjournment; and

WHEREAS, There is no statutory provision for the salaries of said legislative employees for an extraordinary session, now, therefore, be it

*Resolved*, That the State Controller be and he is hereby directed and authorized to draw his warrant upon the Contingent Fund of the Senate in favor of George G. Radcliff, and the State Treasurer is hereby directed to pay the same, for the sum of one hundred twenty dollars (\$120.00) said amount being in payment of said services.

LYON, Chairman.

Resolution read.

Senator Lyon moved that the resolution be adopted.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Ballard, Benson, Brown, Butler, Carr, Cogswell, Cohn, Crowley, Flaherty, Flint, Gerdes, Jones, Kehoe, Luce, Lyon, Mott, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, and Thompson—23.

NOES—None.

## WITHDRAWAL OF BILLS.

Senator Benson asked for and was granted unanimous consent to withdraw Senate Bills Nos. 1 and 2.

Senate Bills Nos. 1 and 2 ordered withdrawn and stricken from the file.

## ADJOURNMENT.

At eight o'clock and forty minutes p.m., on motion of Senator Thompson, the President pro tem. declared the Senate adjourned until Tuesday, January 11, 1916, at nine o'clock and thirty minutes a.m.

## IN SENATE.

SENATE CHAMBER, SACRAMENTO, CAL.,

Tuesday, January 11, 1916.

Pursuant to adjournment, the Senate met at nine o'clock and thirty minutes a.m.

Hon. Newton W. Thompson, President pro tem. of the Senate, in the chair.

Assistant Secretary J. W. Kavanagh at the desk.

The roll was called and the following answered to their names:

Senators Ballard, Benson, Birdsall, Brown, Butler, Carr, Cogswell, Cohn, Crowley, Duncan, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, Luce, Lyon, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, and Thompson—28.

## PRAYER.

By invitation of the President pro tem., prayer was offered by Rev. C. E. Farrar.

## READING OF THE JOURNAL.

During the reading of the Journal of Monday, January 10, 1916, the further reading was dispensed with on motion of Senator Rush.

## LEAVES OF ABSENCE.

Senator Beban was, on motion of Senator Crowley, granted leave of absence for this day.

Senator Benedict was, on motion of Senator Carr, granted leave of absence for this day.

Senator King was, on motion of Senator Flint, granted leave of absence for this day.

Senators Campbell and Maddux were, on motion of Senator Stuckenbruck, granted leave of absence for this day.

Senators Breed, Tyrrell and Hans were, on motion of Senator Strobridge, granted leave of absence for this day.

Senator Chandler was, on motion of Senator Mott, granted leave of absence for this day.

## RESOLUTION.

The following resolution was offered:

By Committee on Contingent Expenses:

*Resolved*, That the Controller be and he hereby is directed to draw his warrant in favor of Thos. A. Brown, Sergeant-at-Arms, for the sum of twenty-five dollars, and the Treasurer is directed to pay the same, payable out of the Contingent Fund of the Senate, to pay for packing and forwarding the papers and documents of the Senators to their respective places of residence.

LYON, Chairman.

Resolution read.

Senator Lyon moved that the resolution be adopted.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Benson, Birdsall, Brown, Butler, Carr, Cogswell, Cohn, Crowley, Duncan, Flaherty, Flint, Gerdes, Irwin, Jones, Luce, Lyon, Mott, Rush, Scott, Shearer, Slater, Stuckenbruck, and Thompson—23.

NOES—None.

## CONSIDERATION OF SENATE CONCURRENT RESOLUTION.

SENATE CONCURRENT RESOLUTION NUMBER FOUR,

Relative to adjournment *sine die*.

*Resolved by the senate, the assembly concurring,* That the forty-first (extra) session of the legislature of the State of California adjourn *sine die* at twelve o'clock noon, Tuesday, January eleventh, nineteen hundred sixteen.

Resolution read previously.

The question being on the adoption of the resolution.

The roll was called, and Senate Concurrent Resolution No. 4 adopted by the following vote:

AYES—Senators Ballard, Benson, Birdsall, Brown, Butler, Carr, Cohn, Crowley, Duncan, Flaherty, Flint, Gerdes, Irwin, Jones, Luce, Lyon, Mott, Rush, Scott, Shearer, Slater, Stuckenbruck, and Thompson—23.

NOES—None.

RECESS.

At nine o'clock and forty-five minutes a.m., on motion of Senator Crowley, the President pro tem. declared the Senate at recess until ten o'clock a.m.

RECONVENED.

At ten o'clock a.m. the Senate reconvened.

Hon. Newton W. Thompson, President pro tem. of the Senate, in the chair.

Assistant Secretary J. W. Kavanagh at the desk.

## MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, January 11, 1916.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Senate Concurrent Resolution No. 4—Relative to adjournment *sine die*.

L. B. MALLORY, Chief Clerk of Assembly.  
By M. STERN, Assistant Chief Clerk.

Senate Concurrent Resolution No. 4 ordered to enrollment.

RECESS.

At ten o'clock and fifteen minutes a.m., on motion of Senator Strobridge, the President pro tem. declared the Senate at recess until ten o'clock and thirty minutes a.m.

RECONVENED.

At ten o'clock and thirty minutes a.m. the Senate reconvened.

Hon. Newton W. Thompson, President pro tem. of the Senate, in the chair.

Assistant Secretary J. W. Kavanagh at the desk.

## REPORTS OF STANDING COMMITTEE.

The following reports of standing committee were received and read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, January 11, 1916.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment have examined Senate Bill No. 4—An act to authorize and empower the board of trustees of the San Francisco state normal school to sell or exchange and convey the lands and buildings of said school; to acquire by purchase, gift, condemnation or otherwise a

new site for said school and to erect thereon buildings suitable and appropriate therefor, or to remodel or reconstruct any building already erected on the site so purchased or acquired, and to purchase therefor necessary and appropriate furniture and equipment; to create a fund into which shall be paid the proceeds of the sale of the present school property and making an appropriation to carry out the purposes of this act;

Also: Senate Bill No. 3—An act authorizing the city and county of San Francisco to close and abandon certain public streets, or parts of public streets, in the city and county of San Francisco, and to transfer title thereto to the State of California;

Also: Senate Bill No. 5—An act to provide for the disposition of any money or other property accruing to or to be received by the State of California as its proportionate share of the returns from the holding of the Panama-Pacific International Exposition;

Also: Senate Bill No. 6—An act to amend section one of an act entitled "An act giving and granting to the board of park commissioners of the city of San Diego the right to use and the right to authorize the use of Balboa Park in said city for exposition purposes," approved March 24, 1911, extending the terms of said section to include the year 1916;

Also: Senate Bill No. 7—An act appropriating fifty thousand dollars for the completion, maintenance and repair of the California State Building at the Panama-California International Exposition; And report that the same have been correctly enrolled, and presented the same to the Governor on this 11th day of January, 1916, at ten o'clock a.m.

FLAHERTY, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, January 11, 1916.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment have examined Senate Concurrent Resolution No. 4—Relative to adjournment *sine die*—and report that the same has been correctly enrolled, and presented the same to the Governor on this 11th day of January, 1916, at ten o'clock and thirty minutes a.m.

FLAHERTY, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, January 11, 1916.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment have examined Senate Coueurrent Resolution No. 3—Relative to the commission for relief in Belgium:

Also: Senate Coueurrent Resolution No. 1—Relative to adoption of joint rules:

Also: Senate Concurrent Resolution No. 2—Relative to the celebration by the people of Marin County of the landing of Drake's armada on the shores of California; And report that the same have been correctly enrolled, and presented the same to the Governor on this 11th day of January, 1916, at ten o'clock a.m.

FLAHERTY, Chairman.

RECESS.

At ten o'clock and forty-five minutes a.m., on motion of Senator Birdsall, the President pro tem. declared the Senate at recess until eleven o'clock and fifteen minutes a.m. of this day.

RECONVENED.

At eleven o'clock and fifteen minutes a.m., the Senate reconvened.

Hon. Newton W. Thompson, President pro tem. of the Senate, in the chair.

Secretary Edwin F. Smith at the desk.

#### MESSAGE FROM THE GOVERNOR.

The following message from the Governor was read and ordered printed in the Journal:

STATE OF CALIFORNIA, EXECUTIVE OFFICE, SACRAMENTO.

*To the Senate of the State of California:*

There have been transmitted to me this day as duly passed by both houses of the Legislature, Senate Bill No. 3, Senate Bill No. 4, Senate Bill No. 5, Senate Bill No. 6, and Senate Bill No. 7, and prior to your adjournment, I desire to advise you that these bills have been duly signed and approved by me.

Dated, January 11, 1916.

HIRAM W. JOHNSON,  
Governor of the State of California.

## RESOLUTIONS.

The following resolutions were offered:

By Senator Strobridge:

*Resolved*, That a committee of three be appointed to notify the Assembly that the Senate is ready to adjourn *sine die*, and to ask if the Assembly has any further communication to transmit to the Senate.

Resolution read, and, on motion adopted.

## APPOINTMENT OF COMMITTEE.

In accordance with the above resolution, Senators Strobridge, Rush, and Stuckenbruck were named by the President pro tem. as a committee to notify the Assembly that the Senate was ready to adjourn *sine die*.

## RESOLUTIONS—(RESUMED).

By Senator Birdsall:

*Resolved*, That a committee of three be appointed to notify the Governor that the Senate is ready to adjourn *sine die*, and to ask if he has any further communication to transmit to the Senate.

Resolution read, and, on motion adopted.

## APPOINTMENT OF COMMITTEE.

In accordance with the above resolution Senators Birdsall, Mott and Cohn were named by the President pro tem. as the committee to notify the Governor that the Senate was ready to adjourn *sine die*.

## APPROVAL OF JOURNALS.

On motion of Senator Kehoe the Journals of Saturday, January 8, 1916, Sunday, January 9, 1916, and Monday, January 10, 1916, were approved as corrected.

## REPORT OF SPECIAL COMMITTEE.

Senator Strobridge, as chairman of the committee appointed to notify the Assembly that the Senate was ready to adjourn *sine die*, reported that the committee had notified the Assembly according to its instructions, and that Assembly would shortly convey a message to the Senate through their committee.

## REPORT OF SPECIAL COMMITTEE.

Senator Birdsall, as chairman of the committee appointed to wait upon the Governor and inform him of the Senate's readiness to adjourn *sine die*, reported that his Excellency had informed the said committee that he had no further communication to transmit to the Senate.

## MESSAGE FROM THE ASSEMBLY.

At eleven o'clock and fifty minutes a.m., a committee from the Assembly, consisting of Messrs. Harris, chairman, Hawson and Boude, appeared at the bar of the Senate and announced that the Assembly had no further communication to transmit to the Senate, and now was prepared for adjournment *sine die*.

## APPROVAL OF MINUTES.

The minutes of Tuesday, January 11, 1916, were read, and, on motion of Senator Strobridge, were approved as read.

## ADJOURNMENT SINE DIE.

Whereupon, at twelve o'clock noon, in accordance with the provisions of Senate Concurrent Resolution No. 4, the President pro tem. declared the forty-first (extraordinary session) of the Senate of the State of California adjourned *sine die*.

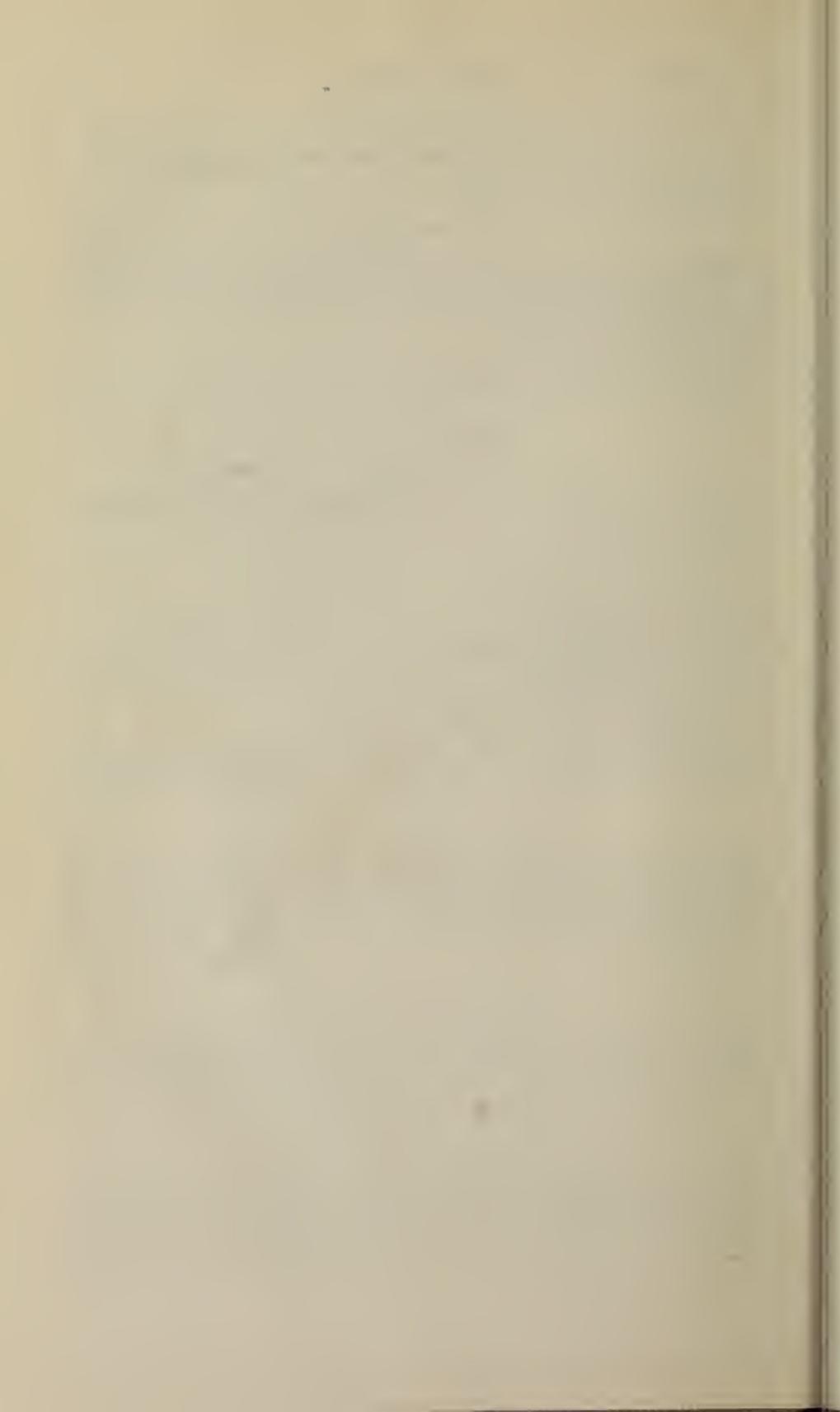
JOHN M. ESHLEMAN,  
President of the Senate.

NEWTON W. THOMPSON,  
President pro tem. of the Senate.

EDWIN F. SMITH,  
Secretary of the Senate.

CLIFTON E. BROOKS,  
Minute Clerk of the Senate.

CARRIE A. GARRISON,  
Journal Clerk of the Senate.



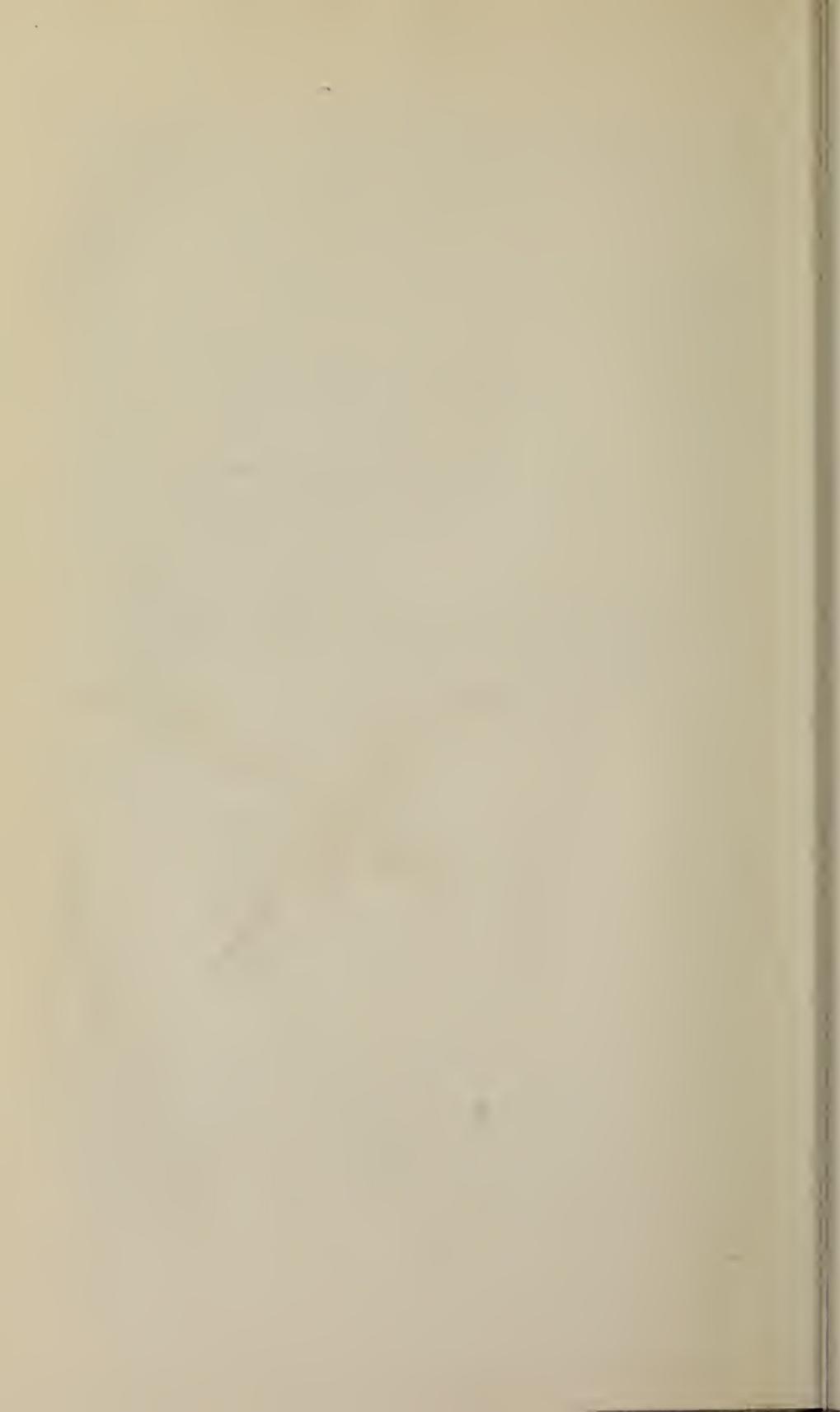
## INDEX.

### Senate Journal. Forty-first (extra) Session.

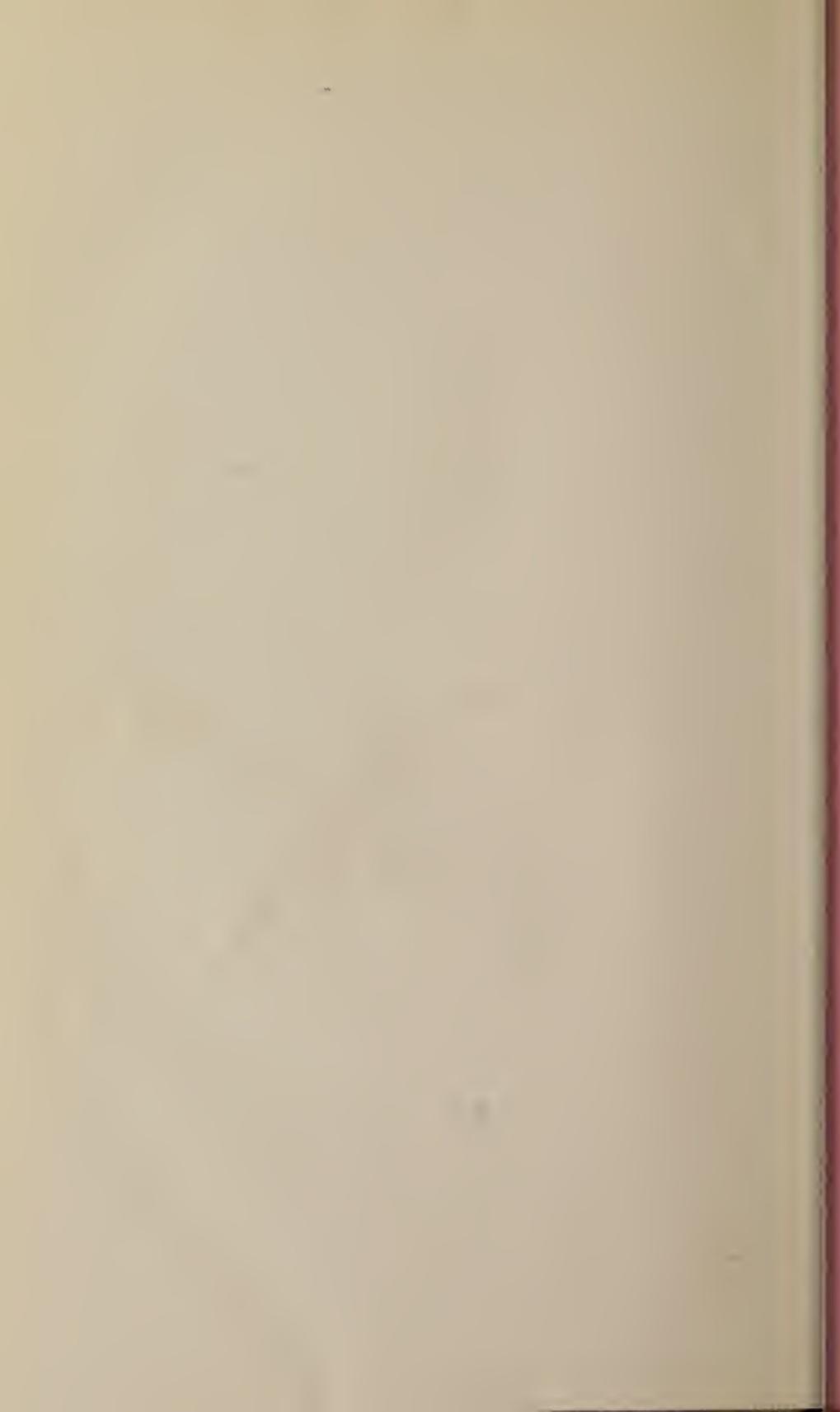
	Page.
<b>ASSEMBLY.</b> Organization notification from-----	14
sine die adjournment notification from-----	54
<b>ATTACHES.</b> Appointments confirmed -----	15
pages appointed-----	14
<b>BEBAN, D. J.</b> Leave of absence for-----	11, 17, 22, 35, 42, 51
<b>BENEDICT, H. STANLEY.</b> Leave of absence for-----	17, 22, 35, 39, 42, 51
<b>BILLS, SENATE.</b>	
1 introduced, 16; recommended, 20; second reading, 25; engrossed, 29; withdrawn -----	50
2 introduced, 16; recommended, 21; second reading, 25; engrossed, 29; withdrawn -----	50
3 introduced, 16; recommended, 22; second reading amendment, 23; engrossed, 29; passed, 31; passed in Assembly, 48; enrolled, 53; signed by Governor -----	53
4 introduced, 16; recommended, 22; second reading, 24; engrossed, 29; passed, 30; passed in Assembly, 48; enrolled, 52; signed by Governor-----	53
5 introduced, 16; recommended, 22; second reading amendment, 23; engrossed, 29; passed, 31; passed in Assembly, 48; enrolled, 53; signed by Governor -----	53
6 introduced, 16; recommended, 22; second reading amendment, 23; engrossed, 29; passed, 31; passed in Assembly, 48; enrolled, 53; signed by Governor -----	53
7 introduced, 16; recommended, 22; second reading amendment, 23; engrossed, 29; passed, 31; passed in Assembly, 48; enrolled, 53; signed by Governor -----	53
8 introduced, 17; reported, point of order sustained-----	28
9 introduced, 19; reported, point of order sustained-----	28
<b>ASSEMBLY.</b>	
1 referred, 38; recommended, 39; second reading amendments, 40; third reading amendment motion ruling, 42; passed, 45; Assembly concurs-----	47
2 referred, 38; recommended, 40; second reading, 41; passed-----	45
<b>BIRDSALL, E. S.</b> Leave of absence for-----	39
<b>BREED, A. H.</b> Leave of absence for-----	30, 51
<b>CAMPBELL, A. E.</b> Leave of absence for-----	35, 39, 42, 51
<b>CHANDLER, W. F.</b> Leave of absence for-----	51
<b>CILAPLAIN (FATHER HENRY L. STARK).</b> Prayer by-----	1
<b>COMMITTEES</b>	
Governor, organization notification to-----	10
Governor's notification report-----	11
Organization notification to Assembly-----	10
sine die adjournment notification to Assembly-----	54
sine die adjournment notification to Governor-----	54
<b>CONTINGENT EXPENSES.</b> Documents packing and forwarding resolution-----	51
mileage warrants resolution-----	19
postage and expressage resolution-----	20
Sergeant-at-Arms and Bookkeeper's services warrant resolution-----	27, 46
Superintendent of Capitol warrant resolution-----	50
supplies, warrant resolution-----	46
<b>DIRECT PRIMARY AND PRESIDENTIAL PRIMARY LAWS</b>	
printing distribution resolution-----	46
<b>DUNCAN, W. E., JR.</b> Senate Bills Nos. 4 and 5 vote statement-----	30
<b>FARRAR, REV. C. E.</b> Prayer by-----	51

	Page.
<b>GOVERNOR (HIRAM W. JOHNSON).</b> Bills signed and approved-----	53
extraordinary session of Legislature proclamation-----	1
extraordinary session of Legislature purposes message-----	11
<b>HANS, GEORGE J.</b> Leave of absence for-----	39, 51
<b>IRWIN, J. L. C.</b> Assembly Bill No. 1 amendment motion-----	42
<b>JOHNSON, GOV. HIRAM W.</b> <i>See Governor.</i>	
<b>JOURNAL.</b> Approved-----	37, 54
<b>KAVANAGH, J. W.</b> Appointment confirmed-----	10
<b>KING, LYMAN M.</b> Leave of absence for-----	39, 44, 51
<b>LEGISLATURE CALIFORNIA.</b> Extraordinary session, proclamation for-----	1
sine die adjournment-----	55
<b>MADDUX, L. J.</b> Leave of absence for-----	51
<b>MESSAGES.</b> Extraordinary session of Legislature purposes-----	11
transmitting signed and approved bills-----	53
<b>MILEAGE.</b> Warrant resolution-----	18
<b>MILLER, J. A.</b> Appointment confirmed-----	10
<b>MINUTES.</b> Tuesday, January 11, 1916, approved-----	55
<b>NEWSOM, JAMES B.</b> Appointment confirmed-----	11
<b>OWENS, JAMES C.</b> Leave of absence for-----	39
<b>PAGES.</b> <i>See Attaches.</i>	
<b>PURKETT, CLAUDE F.</b> Leave of absence for-----	39
<b>RESOLUTIONS, CONCURRENT.</b>	
<b>SENATE.</b>	
1 introduced, 19; considered and adopted, 19; adopted in Assembly, 32; enrolled-----	53
2 introduced, 19; recommended, 24; adopted, 26; engrossed, 29; adopted in Assembly, 32; enrolled-----	53
3 introduced, 24; considered, 25; adopted, 26; adopted in Assembly, 27; enrolled-----	53
4 introduced, 44; passed on file, 46; amended, 50; adopted, 52; adopted in Assembly, 52; enrolled-----	52
ASSEMBLY-----	
2 considered, 36; adopted-----	37
<b>RESOLUTIONS, JOINT.</b>	
<b>ASSEMBLY.</b>	
1 considered, 27; adopted-----	28
2 referred, 35; recommended, 36; adopted-----	38
3 considered, 48; adopted-----	49
4 considered, 49; adopted-----	49
<b>ROLL CALL.</b> Senators answer-----	1
<b>RULES.</b> Joint, adoption resolution-----	19
Standing, adopted-----	3
<b>SECRETARY.</b> Assistants named-----	10
<b>SENATE.</b> Assembly notification resolution-----	10
extraordinary session of forty-first-----	1
officers elected-----	2
sine die adjournment-----	55
<b>SERGEANT-AT-ARMS.</b> Bookkeeper appointed-----	10
warrants receipt resolution-----	19
<b>SHEARER, WILLIAM B.</b> Leave of absence for-----	39
<b>SLATER, HERBERT W.</b> Assembly Bill No. 1, vote statement-----	45
<b>STROBRIDGE, E. K.</b> Leave of absence for-----	39
<b>TYRRELL, EDWARD J.</b> Leave of absence for-----	51
<b>WOLFE, EDWARD I.</b> Address on retirement-----	32
leave of absence for-----	17
tributes to-----	34













# Journal of the Assembly

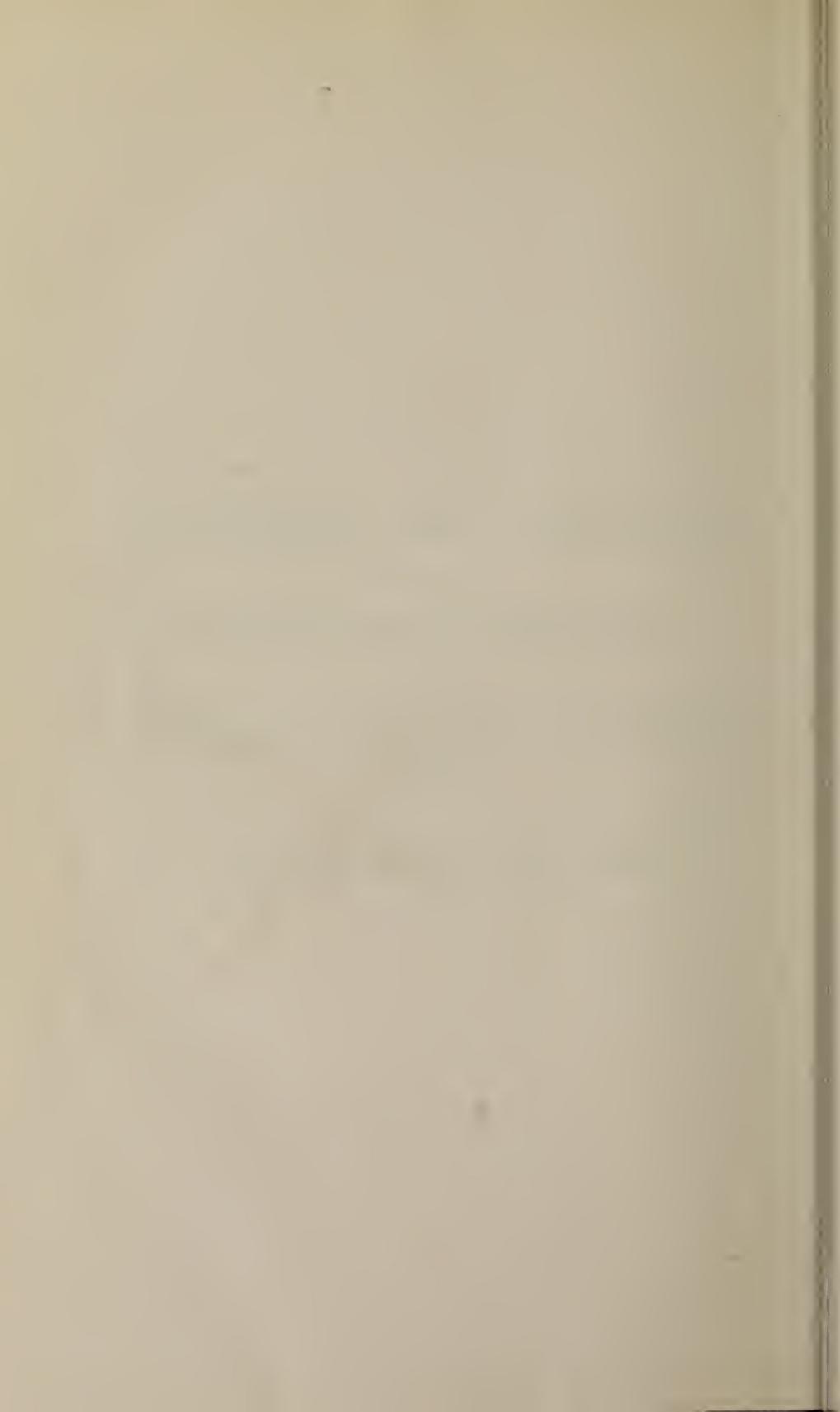
DURING THE

Forty-first (extra) Session

OF THE

Legislature of the State of California  
1916

Began on Wednesday, January fifth, and ended on Tuesday,  
January eleventh, nineteen hundred sixteen



# CALIFORNIA LEGISLATURE—ASSEMBLY.

## FORTY-FIRST (EXTRA) SESSION.

### IN ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, CAL.,  
Wednesday, January 5, 1916.

The Assembly met at two o'clock p.m., pursuant to the provisions of the proclamation of His Excellency, Hiram W. Johnson, Governor of the State of California, dated the 1st day of January, 1916.

L. B. Mallory, Chief Clerk of the Assembly, in the chair.

#### ANNOUNCEMENT.

L. B. Mallory, Chief Clerk, announced that, pursuant to the requirements of the Political Code, section 237, the following officers of the Assembly of the forty-first (regular) session of the Legislature were present and in their respective positions: L. B. Mallory, Chief Clerk; Vincent G. Geleich, Minute Clerk, and H. B. Miller, Sergeant-at-Arms.

The Chief Clerk thereupon directed the Minute Clerk to call the roll of Assemblymen.

The roll was called, and the following members of the Assembly answered to their names:

Messrs. Anderson, Arnerich, Ashley, Avey, Bartlett, Beck, Benton, Boude, Boyce, Brown, Henry Ward; Browne, M. B., Bruck, Burke, Byrnes, Canepa, Cary, Chamberlin, Chenoweth, Collins, Conard, Dennett, Downing, Edwards, Lawrence, Edwards, R. G., Encell, Ferguson, Fish, Gebhart, Gelder, Godsil, Harris, Hawson, Hayes, D. R., Hayes, J. J., Johnson, Kennedy, Kerr, Kramer, Long, Lostutter, Lyon, Manning, Marron, McCray, McDonald, J. J., McDonald, Walter A., McKnight, McPherson, Meek, Mouser, Pettis, Phelps, Phillips, Prendergast, Quinn, Ream, Rigdon, Rodgers, Rominger, Ryan, Salisbury, Satterwhite, Schmitt, Scott, Chas. E., Scott, Fred C., Sharkey, Shartel, Sisson, Spangler, Tabler, Widenmann, Wills, Wishard Wright, H. W., Wright, T. M. and Mr. Speaker—76.

The Chief Clerk declared a quorum present.

#### RESOLUTION

The following resolution was offered by Hon. L. B. Cary, Fifty-second Assembly District, and Hon. Henry Hawson, Fifty-first Assembly District:

WHEREAS, Since the adjournment of this House one of our fellow members, Honorable Lorenzo Dow Scott, representative in this Assembly from the Fiftieth District, Fresno County, has been called by death; and

WHEREAS, Assemblyman L. D. Scott, during his service in this body, won the affectionate regard of all with whom he was associated as a legislator and included among his friends every member and attache of this House; and

WHEREAS, By the death of Assemblyman L. D. Scott the State of California has been deprived of the services of a patriotic citizen and an industrious, conscientious and painstaking legislator; his family is deprived of the loving and devoted care and protection of an exemplary husband and father; his business associates have lost a friend and co-worker who was the soul of honor and business integrity; and the community in which he lived for so many years mourns the taking away of one who in all of his manifold activities was animated by the highest principles of heart and mind; therefore, be it

*Resolved*. By the Assembly of the State of California, in extra session convened at the Capitol of the State this 5th day of January, 1916:

First—That the sympathy of the members of this Assembly be extended to the bereaved wife and family of our late associate and fellow member, with the heart-

felt prayer that in their sorrow they may be sustained and comforted by Divine assistance;

Second—That these resolutions be entered upon the Journal of this House and that a suitably engrossed copy thereof be prepared and sent by the Clerk to the family of the deceased; and

Third—That when this House adjourns today—it does so in respectful memory of Lorenzo Dow Scott—conscientious legislator, good citizen, kindly friend.

The resolution was read and upon a rising vote was unanimously adopted.

#### PRAYER.

By invitation of the Chief Clerk, the opening prayer was offered by the Rev. James Whittaker, Chaplain of the forty-first session of the Assembly.

#### GOVERNOR'S PROCLAMATION.

The following proclamation was read:

#### PROCLAMATION BY THE GOVERNOR CONVENING THE LEGISLATURE IN EXTRAORDINARY SESSION.

#### EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA.

WHEREAS, An extraordinary occasion has arisen and now exists, requiring that the Legislature of the State of California be convened,

Now, therefore, I, HIRAM W. JOHNSON, Governor of the State of California, by virtue of the power and authority in me vested by section 9 of article V of the Constitution, do hereby convene the Legislature of the State of California to meet and assemble in extraordinary session, at Sacramento, California, on Wednesday, the fifth day of January, one thousand nine hundred and sixteen, at two o'clock P. M. of that day, for the following purposes and to legislate upon the following subjects, to-wit:

1. To amend the Direct Primary Law relating to nominations of candidates for public office, approved June 16, 1913, so that the same shall provide for the nomination by electors, political parties and organizations of electors of candidates for public office in such manner as to conform to other existing election laws, and thereby enable electors registered pursuant to such existing laws to participate in nominating such candidates thereunder.

2. To amend sections 3, 6, and 9 of the Presidential Primary Act, approved April 28, 1915, so that electors registered pursuant to existing laws may participate in nominating candidates for delegates thereunder; and to add a new section to such act calling and providing for a presidential primary election to be held on the second day of May, 1916.

3. To authorize the board of trustees of the San Francisco State Normal School to select a new site for said school upon the lands heretofore and now occupied or owned by the Panama-Pacific International Exposition, or any corporation representing or acting for or in conjunction with said exposition, and, in event of such selection of said new site, provide for and authorize the sale or exchange of the present site of said normal school and the disposition of improvements thereon.

To provide for and authorize said Board of Trustees to acquire by purchase, gift, condemnation, or otherwise all necessary lands, buildings, improvements, and equipment for such school, and, for this purpose, to authorize the condemnation of publicly or privately owned lands and improvements; to provide for and authorize the city and county of San Francisco to abandon and close streets, or portions of streets, within and about the site so selected and to transfer title thereto for the use of said state normal school; and to provide for and authorize the use, in connection with such site, of State lands adjacent thereto.

To provide for the disposition of any proceeds of the Panama-Pacific International Exposition accruing to the State from the Panama-Pacific International Exposition Company through the operation of said exposition, or otherwise, or of any money or property that may be due to or be given to the State by said exposition company or its directors, to make appropriations thereof, and to authorize the board of trustees of the state normal school, or any official or officials of the State, to accept property for or on behalf of the State in full or partial settlement of the claims of the State to its proportion of such proceeds, or money or property.

4. To consider and act upon an amendment to the act of the Legislature of the State of California entitled "An act giving and granting to the board of park commissioners of the city of San Diego the right to use and the right to authorize the use of Balboa Park in said city for exposition purposes," approved March 24, 1911, extending its provisions so as to authorize and provide for the use of said Balboa Park for exposition purposes during the years 1916 and 1917; and to do what may be deemed appropriate or necessary in relation to the Panama-California International Exposition of San Diego.

In witness whereof I have hereunto set my hand and caused to be affixed hereunto the Great Seal of the State of California, at my office in the State Capitol this first day of January, in the year of our Lord one thousand nine hundred and sixteen.

[SEAL]

HIRAM W. JOHNSON,  
Governor.

Attest: FRANK C. JORDAN, Secretary of State.  
By FRANK H. CORY, Deputy.

## RESOLUTIONS.

The following resolution was offered:  
By Mr. Ryan:

*Resolved*, That the following persons constitute the officers of the Assembly with the per diem as fixed by statute:

Honorable C. C. Young-----	Speaker
Honorable Howard J. Fish-----	Speaker pro tem.
L. B. Mallory-----	Chief Clerk
Moses Stern-----	First Assistant Chief Clerk
Arthur A. Wendering-----	Assistant Clerk
Vincent G. Geleich-----	Minute Clerk
Henry B. Miller-----	Sergeant-at-Arms
Rev. James Whittaker-----	Chaplain

*And be it further resolved*, That the State Controller be, and he is hereby directed to draw his warrants in favor of the above named persons, and the State Treasurer is hereby directed to pay such warrants, for and at the fixed per diem.

Resolution read.

The roll was called, and resolution adopted by following vote:

AYES—Messrs. Anderson, Arnerich, Ashley, Avey, Bartlett, Beck, Benton, Boude, Boyce, Brown, Henry Ward; Browne, M. B., Brink, Burke, Byrnes, Cauepa, Cary, Chamberlin, Cheoweth, Collins, Conard, Dennett, Downing, Edwards, L. Eneell, Ferguson, Gelder, Godsil, Harris, Hawson, Hayes, D. R., Hayes, J. J., Johnson, Kennedy, Kerr, Kramer, Long, Lostutter, Lyon, Manning, Marron, McGray, McDonald, J. J., McDonald, W. A., McKnight, McPherson, Meek, Mouser, Pettis, Phelps, Phillips, Prendergast, Quinn, Ream, Rigdon, Rodgers, Rominger, Ryan, Salisbury, Satterwhite, Schmitt, Scott, Chas. E., Scott, Fred C., Sharkey, Sharrel, Sisson, Spengler, Tabler, Widenmann, Wills, Wishard, Wright, H. W., Wright, T. M.—72.

NOES—None.

Whereupon the Chief Clerk declared the above-named duly elected officers of the Assembly for the forty-first (extra) session of the Legislature.

## OATH OF OFFICE.

The aforesigned officers (elect) of the Assembly, presented themselves at the bar of the Assembly and each took and subscribed to the following oath of office:

I do solemnly swear that I will support the Constitution of the United States of America, and the Constitution of the State of California, and that I will faithfully discharge the duties of the office to which I have been elected, according to the best of my ability.

## SENATE MESSAGES.

The following message from the Senate was taken up and read:

SENATE CHAMBER, January 5, 1916.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the following resolution:

*Resolved*, That the Secretary of the Senate is hereby directed to notify the Assembly that the Senate is now duly organized and ready to proceed to the business of the State, having elected the following statutory officers:

President pro tem.-----	Hon. N. W. Thompson
Secretary of Senate-----	Edwin F. Smith
Sergeant-at-Arms-----	Thos. A. Brown
Minuté Clerk-----	Clifton E. Brooks
Chaplain-----	Rev. Father Henry I. Stark

EDWIN F. SMITH, Secretary of Senate.  
By J. W. KAVANAGH, Assistant Secretary.

## RESOLUTIONS—(RESUMED).

The following resolution was offered:

By Mr. Encell:

*Resolved.* That until further order the Standing Rules of the Assembly at its last regular session be and the same are hereby adopted as the rules of this extraordinary session, and with the exception that Rule 1 shall be amended to read as follows:

## HOUR OF MEETING.

1. The sessions of the House shall be daily, beginning at nine o'clock and thirty minutes a.m. A recess shall be taken at the hour of twelve o'clock and thirty minutes p.m. to two o'clock p.m. unless otherwise ordered by a vote of the House;

*And be it further resolved.* That the members of the committees appointed at the last regular session shall remain as the members of the committees of this extraordinary session: *provided*, that all vacancies shall be filled by appointment by the Speaker.

Resolution read.

The roll was called, and resolution adopted by the following vote:

AYES—Messrs. Anderson, Arnerich, Ashley, Avey, Bartlett, Beck, Benton, Boude, Boyce, Brown, Henry Ward; Browne, M. B., Bruck, Burke, Byrnes, Canepa, Chamberlin, Chenoweth, Collins, Conard, Dennett, Downing, Edwards, L., Encell, Ferguson, Fish, Gelder, Godsil, Harris, Dawson, Hayes, D. R., Hayes, J. J., Johnson, Kennedy, Kerr, Kramer, Long, Lostutter, Lyon, Manning, Marron, McDonald, J. J., McDonald, W. A., McKnight, McPherson, Meek, Mouser, Pettis, Phelps, Phillips, Prendergast, Quinn, Ream, Ridon, Rodgers, Rominger, Ryan, Salisbury, Satterwhite, Schmitt, Scott, Chas. E., Scott, Fred C., Sharkey, Shartel, Sisson, Spengler, Tabler, Widenmann, Wills, Wishard, Wright, H. W., Wright, T. M. and Mr. Speaker—73.

NOES—None.

## STANDING RULES OF THE ASSEMBLY.

*Hour of Meeting.*

1. The sessions of the house shall be daily, beginning at nine o'clock and thirty minutes a.m. A recess shall be taken at the hour of twelve o'clock and thirty minutes p.m. to two o'clock p.m. unless otherwise ordered by a vote of the House.

*Order of Business.*

2. Order of business.
  1. Roll Call.
  2. Prayer by the Chaplain.
  3. Reading and approval of the Journal.
  4. Presentation of Petitions.
  5. Reports of Standing Committees.
  6. Reports of Select Committees.
  7. Messages from the Governor.
  8. Messages from the Senate.
  9. Introduction and Reference of Bills.
  10. Motions and Resolutions.
  11. Special Orders of the Day.
  12. Unfinished Business of the Preceding Day.
  13. Business on Special File.
  14. Business on General File and Third Reading of Bills.
  15. Announcements of Committee Meetings.

*Reports of Committee on Engrossment and Enrollment.*

3. It shall be in order for the Committee on Engrossment and Enrollment to report at any time.

*Messages From the Governor and Senate.*

4. Messages from the Governor and from the Senate may be considered at any time by vote of the House.

*Messengers May be Introduced.*

5. Messengers may be introduced at any stage of business except while a question is being put, while the ayes and noes are being called, while the ballots are being counted, or while a member is addressing the House.

*Petitions to be Presented With a Brief Statement of Contents.*

6. Whenever petitions, memorials, or other papers addressed to the House are presented by a member, a brief statement of the contents thereof shall be made verbally by the introducer. They shall not be debated on the day of their being presented, but shall lie on the table, or be referred, as the House shall determine.

*Introduction and Reading of Bills.*

7. Any member desiring to introduce a bill shall rise in place and address the Speaker, and upon being recognized shall present the same. It shall then be numbered and read the first time at the Clerk's desk and referred to a standing committee, and be printed, and a copy placed upon the desk of each member. Every bill shall be read at length on three several days previous to its passage, unless in case of urgency two thirds of the House shall, by vote of ayes and noes, dispense with this provision. The Speaker shall give notice at each reading, whether it is the first, second or third reading. All bills to appropriate money for contingent purposes shall be presented by the Committee on Ways and Means. The chairman or clerk of each committee of the Assembly shall notify the author of any bill or proceeding pending before such committee of the hour and place of hearing or acting upon such bill or proceeding.

*Introduction of Bills by Committee.*

8. Any committee may introduce a bill appertaining to any subject coming within its consideration, whereupon it shall be read the first time and placed upon the proper second-reading file. When such bill is designed to be a substitute for one or more Assembly bills, the bills for which it is such a substitute shall, by a majority vote of the House, be deemed withdrawn, and shall not appear upon the file. Upon the introduction of a bill by a committee, it shall be numbered as a new bill, read, ordered printed, and placed upon the Assembly file for further action.

*Disposition of Senate Bills.*

9. When a Senate bill has been received by the House with a message announcing that the same has passed the Senate, such bill shall be referred to a standing committee; *provided, however,* that when a Senate bill is received the provisions of which are stated by a member to be identical with those of an Assembly bill which has already been considered and reported by a committee of the Assembly, such Senate bill shall be referred to the Committee on Engrossment and Enrollment for comparison, which committee shall report on the next legislative day, whether or not said bill is identical with the Assembly bill; and if reported identical, shall be read the second time, be substituted for the Assembly bill (the latter being considered withdrawn), shall take the latter's place on the Assembly file, and be considered as having received the same recommendation of the Assembly committee; *provided,* that the fact that the bills are identical shall be entered in the Journal.

*Joint and Concurrent Resolutions and Constitutional Amendments.*

10. Joint and concurrent resolutions shall be treated the same as bills; *provided,* that they shall be read but once, and that after they have been reported by a committee; *and provided, further,* that the ayes and noes shall not be called upon the adoption of concurrent resolutions, unless regularly demanded, or required by statute or the Constitution. Proposed amendments to the Constitution shall be treated the same as bills; *provided,* they shall be read but once, and only after they have been reported by a committee.

*Proceedings Touching Appropriations of Money to be Considered in Committee of the Whole.*

11. All bills making appropriations of money shall be considered in a Committee of the Whole House while on second reading, and no addition to any appropriation shall be made out of Committee of the Whole.

*Reference of Bills.*

12. No debate shall be allowed on any motion to refer a bill or resolution to a committee. The Speaker shall first indicate to what committee a bill or resolution ought to be referred, and it shall be so referred, unless upon a motion, without debate, the House by a majority vote refer it to some other committee.

*Referring With Special Instructions.*

13. A bill or resolution may be committed with special instructions at any time after the final reading has been ordered.

*Order of Making File.*

14. Upon the introduction of bills they shall be read the first time, and referred to committees as provided in Rule 7. When reported back they shall be placed upon the General File, to be kept by the Clerk, as follows: All bills when reported to the House by the committees shall be placed at the foot of the second-reading file, in the order in which the reports are made, and after the second reading they shall be placed at the foot of the third-reading file, in the order of reading, and precedence shall be given in the consideration of bills in the following order: Second-reading file and third-reading file, unless otherwise ordered by unanimous consent or by a two-thirds vote of the House. The bills upon third reading shall be considered in the order in which they appear upon the file, unless otherwise ordered by unanimous consent or by vote of majority of the members present, such vote to be taken by roll call; *provided,* that if a bill is passed on file for any reason, other than the absence of the author by leave of the Assembly, note of the fact shall be made in

the General File, and when passed on file a second time, the bill shall be ordered to the foot of the file, and notice of the fact of the bill having been passed on file prior to the order placing it at the foot of the file, shall be omitted from the General File. The Clerk shall post, in a conspicuous place in the Chamber, a daily statement of the bills on the General File, setting forth the order in which they were filed, and specifying the alterations arising from the disposal of business each day.

*Order of Making Special File.*

15. The Clerk shall, from time to time, make up a file, to be known as the Special File, on which he shall place bills relating to appropriations for the support of the state government and state institutions, revenue, election laws and constitutional amendments, in the order named, and in the order in which the same may be reported to the Assembly, and he shall place no other bills thereon, nor shall any bill on the General File be substituted for any bill thereon.

*Taking Up Bills Out of Order.*

16. When a member shall ask leave to have a bill taken up out of its regular order, he shall in making the motion give the number and title of the bill and its position on the file.

*Engrossment and Eurolling Bills.*

17. The Engrossing and Eurolling Clerk shall engross and enroll the bills, constitutional amendments, and joint and concurrent resolutions which shall come to his hands for such purposes, in compliance with the provisions of section 539 of the Political Code, and in the order of time in which the same shall be acted upon by the House. Said Clerk shall be responsible for every violation of this rule by his assistants or deputies; no clerk of this House, or his deputy or assistant, shall demand or receive from any person any compensation other than that provided by law for any services performed by him in regard to bills or preparation of bills before this House. All Assembly bills, constitutional amendments and joint and concurrent resolutions shall be engrossed before final action is taken on them in the Assembly.

*Bills to Be Reported Back Within Ten Days.*

18. All bills referred to any committee shall be, by such committee, reported back to the House with its action thereon, within ten days after such reference, unless the House, by request of such committee, shall otherwise order.

*Speaker to Call House to Order.*

19. The Speaker, or, in his absence, the Speaker pro tem., shall take the chair precisely at the hour appointed for meeting, and shall immediately call the House to order. In the absence of both the Speaker and Speaker pro tem., the Chief Clerk, or an assistant, shall call the House to order, whereupon a Chairman shall be elected from among the members to preside.

*Speaker to Preserve Order; to Decide Points of Order; and May Speak to Same.*

20. He shall preserve order and decorum; may speak to points of order in preference to other members, rising from his seat for that purpose; and shall decide questions of order, subject to an appeal to the House by any member, on which appeal no member shall speak more than once, unless by leave of the House.

*Speaker to Have Direction of the Hall; May Call Any Member to the Chair.*

21. He shall have general direction of the hall. He shall have a right to name any member to perform the duties of the Chair, but such substitutions shall not extend beyond an adjournment.

*Speaker to Sign Resolutions, Etc., Attested by the Clerk.*

22. All acts, addresses, and joint resolutions shall be signed by the Speaker, and all writs, warrants, and subpoenas issued by order of the House shall be under his hand, attested by the Clerk.

*Speaker May Order the Galleries and Lobby Cleared.*

23. In case of any disturbance or disorderly conduct in the galleries or lobby, or whenever he shall deem it necessary, the Speaker (or Chairman of the Committee of the Whole House) shall have power to order the same to be cleared.

*Duties of the Sergeant-at-Arms.*

24. The Sergeant-at-Arms shall attend the House during its sittings, execute the commands of the Speaker of the House, and serve all process issued by authority thereof directed to him by the Speaker. He shall be sworn to keep the secrets of the House. He shall also have supervision over the Assistant Sergeant-at-Arms and gatekeepers, and shall be responsible for their performance of and regular attendance upon their duties, and shall have power to suspend any such attaché under him for dereliction of duty, and shall report to the Committee of Attachés such suspension and the causes thereof. Said suspended attaché shall not receive any pay

during the time of such suspension. The Committee on Attachés shall have power to relieve the attaché of his suspension, and shall have the power, subject to the approval of the House, to remove any attaché for incompetency or for wilful neglect of duty.

*Expenses of Sergeant-at-Arms.*

25. The Sergeant-at-Arms shall receive his actual traveling expenses for himself or a special messenger when executing any process issued by the House or by any officer or committee thereof.

*Assistant Sergeant-at-Arms to Be Doorkeeper.*

26. The Assistant Sergeant-at-Arms designated by the Speaker shall be the doorkeeper and shall be sworn to keep the secrets of the House.

*Standing Committees.*

27. The standing committees of the House shall be as follows:
1. A Committee on Agriculture, to consist of thirteen members.
  2. A Committee on Attachés, to consist of seven members.
  3. A Committee on Banking, to consist of nine members.
  4. A Committee on Building and Loan Associations, to consist of seven members.
  5. A Committee on Civil Service, to consist of eight members.
  6. A Committee on Claims, to consist of seven members.
  7. A Committee on Commerce and Navigation, to consist of nine members.
  8. A Committee on Conservation, to consist of nine members.
  9. A Committee on Constitutional Amendments, to consist of nine members.
  10. A Committee on Contingent Expenses, to consist of five members.
  11. A Committee on Contested Elections, to consist of seven members.
  12. A Committee on Corporations, to consist of nine members.
  13. A Committee on County Government, to consist of fifteen members.
  14. A Committee on Direct Legislation, to consist of seven members.
  15. A Committee on Drainage, Swamp and Overflowed Lands, to consist of thirteen members.
  16. A Committee on Education, to consist of eleven members.
  17. A Committee on Elections, to consist of fifteen members.
  18. A Committee on Engrossment and Enrollment, to consist of five members.
  19. A Committee on Federal Relations, to consist of seven members.
  20. A Committee on Fish and Game, to consist of fifteen members.
  21. A Committee on Hospitals and Asylums, to consist of thirteen members.
  22. A Committee on Insurance, to consist of eleven members.
  23. A Committee on Irrigation, to consist of thirteen members.
  24. A Committee on Judiciary, to consist of twenty-one members.
  25. A Committee on Labor and Capital, to consist of thirteen members.
  26. A Committee on Libraries, to consist of seven members.
  27. A Committee on Live Stock and Dairies, to consist of eleven members.
  28. A Committee on Manufactures, to consist of seven members.
  29. A Committee on Medical and Dental Laws, to consist of nine members.
  30. A Committee on Mileage, to consist of five members.
  31. A Committee on Military Affairs, to consist of nine members.
  32. A Committee on Mines and Mining, to consist of nine members.
  33. A Committee on Municipal Corporations, to consist of thirteen members.
  34. A Committee on Normal Schools, to consist of seven members.
  35. A Committee on Oil Industries, to consist of nine members.
  36. A Committee on Prisons and Reformatories, to consist of thirteen members.
  37. A Committee on Public Charities and Corrections, to consist of nine members.
  38. A Committee on Public Health and Quarantine, to consist of nine members.
  39. A Committee on Public Morals, to consist of eleven members.
  40. A Committee on Public Utilities, to consist of nine members.
  41. A Committee on Revenue and Taxation, to consist of fifteen members.
  42. A Committee on Revision of Criminal Procedure, to consist of seven members.
  43. A Committee on Roads and Highways, to consist of fifteen members.
  44. A Committee on Rules, to consist of seven members, including the Speaker.
  45. A Committee on State Grounds and Parks, to consist of seven members.
  46. A Committee on Universities, to consist of seven members.
  47. A Committee on Ways and Means, to consist of twenty-one members.

*Committees to Be Appointed by Speaker.*

28. All committees shall be appointed by the Speaker, unless otherwise ordered by the House.

*Committee on Contested Elections.*

29. It shall be the duty of the Committee on Contested Elections to examine and report upon the certificates of election or other credentials of such members returned to serve in this House, as may have their seats contested, and to take into their consideration all such petitions and other matters touching elections and returns as shall or may be presented or come into question, and be referred to them by the House, or the Speaker thereof.

*Committee on Ways and Means.*

30. It shall be the duty of the Committee on Ways and Means to take into consideration all reports of the State officers and State boards or State commissions, and all propositions relative to the revenue of the State, as may be referred to them by the Assembly; to inquire into the state of the revenue and expenditures of the State, and report from time to time their opinion thereon. All bills for the appropriation of money, which were not at first referred to the Committee on Ways and Means, shall be reported to the House by the committees having them under consideration, and shall thereupon, without motion, be referred to the Committee on Ways and Means; and said committee shall consider and report thereon the amount of appropriation required, but such bill shall retain its place on file pending its consideration by said Committee on Ways and Means. The Committee on Ways and Means shall, from time to time, at least once in two weeks, report to the House the exact condition of legislation involving appropriations, and the aggregate amount of all the proposed appropriations pending.

*Committee on Engrossment and Enrollment.*

31. It shall be the duty of the Committee on Engrossment and Enrollment to compare all bills, constitutional amendments, and concurrent and joint resolutions, ordered or considered engrossed by this House with the engrossed copies thereof; and, before they pass out of the possession of this House, see that the engrossed bill is a true copy of the original, with such amendments as may have been made thereto; and said committee shall see that all engrossed bills are reported back in the order in which they were ordered engrossed.

*Committee Expenditures.*

32. No member of any committee shall be permitted to incur any expense by visiting any part of the State on official or other business without first obtaining leave of the House by a two-thirds vote of the members thereof.

*Committee of the Whole House.*

33. In forming a Committee of the Whole House, the Speaker as chairman or a chairman to be named by the Speaker, shall preside. Bills committed to a Committee of the Whole House shall, in Committee of the Whole, be read by sections. All amendments shall be noted and reported to the Assembly by the chairman. After being reported to the Assembly, the bill shall again be subject to amendment before a vote on the report is taken.

*Rules in Committee of the Whole.*

34. The rules of the Assembly shall be observed in Committee of the Whole, as far as may be applicable, except limiting the time of speaking, and except that the ayes and nays need not be taken.

*Motion to Rise Decided Without Debate.*

35. A motion that the committee rise shall always be in order, and shall be decided without debate.

*Reference of Bills.*

36. When a motion is made to refer any subject, and different committees shall be proposed, the question shall be taken in the following order:

The Committee of the Whole House.

A Standing Committee.

A Select Committee.

*Calling Members to Order When Transgressing Rules.*

37. If any member, in speaking or otherwise transgresses the rules of the House, the Speaker shall, or any member may, call to order; in which case the member so called to order shall immediately sit down, unless permitted to explain; and if called to order by a member, such member shall immediately state the point of order. If the point of order be sustained by the Chair, the member shall not be allowed to proceed; but if it be not sustained, then he shall be permitted to go on. Every such decision from the Chair shall be subject to an appeal to the House, but no discussion of a question of order shall be allowed, unless an appeal be taken from the decision of the Chair.

*Speaker to Decide Who is Entitled to the Place.*

38. When two or more members shall rise at once, the Speaker shall name the member who is first to speak.

*Order in Speaking to Questions.*

39. Every member, when he speaks, shall, standing in his place, address "Mr. Speaker," and when he has finished he shall sit down. No member shall speak more than twice during the consideration of any one question, of whatever nature, on the same day and at the same stage of proceedings, without leave being granted, except the author of a bill or resolution, or mover of a question, who shall have the right to close the debate. No member shall be allowed to speak more than fifteen minutes upon any question except by leave of the House, and except further, the author shall be allowed fifteen minutes to open and fifteen minutes to close.

*Called to Order for Offensive Words in Debate.*

40. If any member be called to order for offensive words spoken in debate, the person calling him to order shall report the words excepted to, and they shall be taken down in writing at the Clerk's table; and no member shall be held to answer, or be subject to censure of the House, for language used in debate, if any member has spoken or other business has intervened after the words spoken and before exception to them shall have been taken.

*Personal Explanation.*

41. Any member may rise to explain a matter personal to himself, with leave of the Chair, but shall not discuss a question in such explanation.

*Motions to Be Stated by Speaker, and if Desired Shall Be Reduced to Writing, or May Be Withdrawn.*

42. No motion shall be debated until the same be seconded and distinctly announced by the Speaker; and it shall be reduced to writing, if desired by the Speaker, or any member, and be read by the Clerk, before the same shall be debated. A motion may be withdrawn, by leave of the House, at any time before amendment or decision.

*Motion to Adjourn.*

43. A motion to adjourn shall always be in order, except during roll call. The Clerk shall enter on the Journal the name of any member moving an adjournment, also the hour at which the motion was made and adjournment taken.

When a motion is made and seconded to adjourn, it shall be in order for the Speaker, before putting the question, to permit any member to state any fact to the House relating to the condition of the business of the House, which would seem to render it improper to adjourn at that time. Such statement, however, shall not be debatable, and such statement or statements shall not, in any case occupy more than two minutes.

Concurrent resolutions for adjournment *sine die* shall in all cases, whether originating in the House or coming from the Senate, be referred to the Committee on Ways and Means. That committee shall report upon any such concurrent resolution not later than the next legislative day, and with regard to the status of the general appropriation bill and tax levy.

*Precedence of Motions During Debate.*

44. When a question is under debate, or before the House, no motion shall be received but: To adjourn; to lay on the table; for the previous question; to postpone to a day certain; to commit or amend; to postpone indefinitely; which several motions shall have precedence in the order in which they are named, but the first three shall be decided without debate; and no motion to postpone to a day certain, to commit, or to postpone indefinitely, being decided, shall again be allowed on the same day and at the same stage of the proceedings. A motion to strike out the enacting clause of a bill shall have preference over a motion to amend, and, if carried, shall be considered equivalent to its rejection. A dilatory motion shall not be considered intervening business within the meaning of parliamentary usage.

*Previous Question.*

45. The previous question shall be in this form: "Shall the main question be now put?" And its effect, when sustained by a majority of the members present, shall be to put an end to all debate and bring the House to a vote on the question or questions before it.

*Questions of Order After Previous Question Is Ordered.*

46. All incidental questions of order arising after a motion is made for the previous question, and pending such motion or previous question, shall be decided (whether on appeal or otherwise) without debate; provided, that after the previous question shall have been ordered, ten minutes shall be allowed for explanation of the matters covered by the previous question, of which five minutes shall be given to the member moving the previous question, and five minutes to those opposed thereto.

*Previous Question Demanded.*

47. The previous question shall be put only when demanded by three members.

*Question Indefinitely Postponed.*

48. When a question is postponed indefinitely, the same shall not again be introduced during the session.

*Division of Questions.*

49. Any member may call for a division of the question, which shall be divided if it comprehend propositions in substance so distinct that, one being taken away, a substantive proposition shall remain for the decision of the House. A motion to strike out being lost, shall preclude neither a motion to add to nor a motion to strike out and insert.

*Substitute.*

50. A motion to substitute shall be deemed and held to be a motion to amend, and be treated in all respects as such.

*Subjects Different From the One Under Consideration.*

51. No motion or proposition on a subject different from that under consideration shall be admitted as an amendment.

*Printing of Bills.*

52. One thousand copies of all bills and as many additional copies as the House shall order, shall be printed. The Chief Clerk or Sergeant-at-Arms shall be required to certify to the receipt by the House of all such printed matter, and the quantity thereof.

*Printing Extra Number of Bills, Etc.*

53. A proposition to print an extra number of any document or other matter shall lie on the table one day for consideration, unless otherwise ordered by consent of the House.

*Printing of Maps.*

54. Maps accompanying documents shall not be printed under the general order to print, without the special direction of the House.

*Filling Blanks.*

55. In filling up blanks the least sum and shortest time shall be put first.

*Priority of Business.*

56. All questions relating to the priority of business shall be decided without debate.

*Reading of Papers.*

57. When the reading of a paper is called for, except petitions and the same is objected to by a member, such reading shall be determined by a vote of the House, without debate.

*Notice of Reconsideration.*

58. On the day succeeding that on which a final vote on any bill or resolution has been taken, said vote may be reconsidered on the motion of any member; provided, a notice of intention to move such reconsideration shall have been given on the day on which such final vote was taken, by a member voting with the successful side, and it shall not be in order for any member to move a reconsideration on the day on which such final vote was taken. Said motion of reconsideration shall have precedence over every other motion, except a motion to adjourn. No notice of reconsideration shall be in order on the day preceding the last day of the session. No motion to reconsider shall be adopted, except upon a roll call, and it shall require forty-one votes to adopt the motion.

*Election by House.*

59. In all cases of election by the House, the vote shall be taken *viva voce*.

*Calling Ayes and Noses.*

60. The ayes and noes shall be taken on the final passage of all bills, and when called for by three members on other questions, and every member within the bar of the House, when his name is called, shall (unless for special reasons he be excused) declare openly, and without debate, his vote. In taking the ayes and noes, and upon call of the House, the names of the members shall be taken alphabetically, and the Clerk shall enter on the Journal the names of those demanding the ayes and noes.

*Members at Clerk's Desk.*

61. No member or other person shall remain by the Clerk's table while the ayes and noes are being called, or while the votes are being counted.

*Voting on Question When Interested.*

62. No person shall vote on any question in the result of which he is personally interested or involved.

*Division and Count of House.*

63. Upon a division and count of the House on any question, no person without the bar shall be counted.

*Explaining or Changing Vote.*

64. No member shall be allowed to explain his vote or discuss the question while the ayes or noes are being called, and no member shall be allowed to change his vote after the vote is announced by the chair.

*Call of the House.*

65. Upon a call of the House the names of the members shall be called over by the Clerk, and the absentees noted, after which the names of the absentees shall again be called over. The door shall then be shut, and those for whom no excuse or insufficient excuses are made, may, by order of those present, be taken into custody, as they appear, or may be sent for and taken into custody by the Sergeant-at-Arms wherever found, or by special messenger to be appointed for that purpose. In the absence of a quorum, a majority of the members present may order a call of the House and compel the attendance of absentees in the manner above provided. No recess can be taken during a call of the House.

*Suspending and Changing Rules.*

66. No standing rule or order of the House shall be rescinded or changed without a vote of two-thirds of the members of the Assembly, and one day's notice being given of the motion therefor: *provided*, that the Committee on Rules may at any time, except during a roll call, report a temporary rule providing for the consideration of any bill on the files of the House belonging to either of the following classes:

1. Bills affecting the state government, its revenue, its various departments or commissions, or appropriations therefor,
2. Bills affecting county and township governments, or roads and highways,
3. Bills affecting town, city, city and county governments, or the municipal affairs of the same,
4. Bills amending election or primary election laws,
5. Constitutional amendments,
6. Bills amending or repealing the Codes, or sections thereof.

Such temporary rule shall provide when a bill so elected shall be taken up for consideration, and the time when final vote shall be taken thereon and pending amendments thereto, if there be any.

It shall always be in order to call up for consideration such report. The same shall be subject to amendments by the House.

On the adoption of such temporary rule by the House by a two-thirds vote thereof, if the bill be on third reading, and by a majority vote of the members elected to the House, if otherwise, such bill shall thereupon be made the special order for the time fixed therein.

A rule of order may be suspended temporarily by a vote of two-thirds of the members present, except that portion of Rule 7 relating to third reading of bills. A motion or resolution proposing to increase or diminish a standing committee shall not be adopted until the same has been referred to the Committee on Rules.

The Committee on Rules may also, at any time, report a temporary rule or regulation. When such temporary rule or regulation shall have been adopted by a two-thirds vote of the House it shall have the effect, for the time being, of a standing rule, and if such temporary rule shall be in conflict with a standing rule it shall supersede said standing rule for the time being, and shall be enforced by the Speaker.

*Members Absenting Themselves.*

67. No member shall absent himself from attendance at a session of the House without the leave of the House, except in case of sickness; and if any member or officer of the House absent himself without leave, his per diem shall not be allowed him; but no member shall obtain leave of absence, or be excused without a vote of two-thirds of the House, or by unanimous consent.

*Persons Admitted to the Floor.*

68. No persons except Senators, state officers, Governors and ex-Governors of states, members of Congress, Judges of the Supreme, Appellate and Superior Courts, ex-Senators and ex-Assemblymen, members of the press when accredited by their respective journals, attachés when actually engaged in work for the Assembly or a member thereof, and the wife or child of a member, shall be admitted within the Assembly Chamber, except in the gallery, during the sessions of the Assembly: *provided*, however, any other guest of any member may be admitted to the floor of the Assembly, but to no other part of the floor than to a seat at the desk of said member, and *provided*, also, that such admission of said guest shall be only by written permission of said member, countersigned by the Speaker, such permission being good only for the sessions of the day on which it is given, the names of such member and guest to be entered in the Journal when specifically requested by such member. At the convening of the Assembly in the morning, or after recess, all

present except those covered by this rule shall retire from the floor of the Assembly. No one except the Sergeant-at-Arms or his deputies shall be allowed to remain in the lobby behind the rail at any time.

*Smoking in Assembly Chamber.*

69. No smoking shall be allowed within the Assembly Chamber during the session of the House; *provided*, that during night sessions, this rule may be suspended by a vote of the majority of the members present, without notice or reference to committee.

*Parliamentary Rules.*

70. The rules of parliamentary practice contained in Robert's Rules of Order shall govern the House in all cases to which they are applicable, and in which they are not inconsistent with the Standing Rules and Orders of the House and the Joint Rules of the Senate and Assembly.

*Use of Assembly Chamber.*

71. The Assembly Room shall not be used for any public or private business other than legislative, except by consent of a majority of the House.

*Fees for Witnesses.*

72. Witnesses summoned to appear before the House or any of its committees shall be paid as follows: For each day a witness shall attend, the sum of three dollars; for each mile he shall travel in coming to and going from the place of examination, the sum of ten cents. No mileage shall be paid except where the witness has actually traveled for the purpose of giving testimony.

*Protest of Members.*

73. It shall be in order for any member or members to protest against the action of the House, and have such protest entered in the Journal.

*Assignment of Attachés.*

74. The Committee on Attachés shall assign the committee clerks and the official stenographers of the House to the various committees and, on recommendation of the Chief Clerk, shall have the authority to reassign any clerk or attaché under him to special duties or other committees when the necessity arises.

The Committee on Attachés, in co-operation with the Chief Clerk and Sergeant-at-Arms, shall exercise general supervision over and shall systematize the work of all attachés.

All assignments of committee clerks and stenographers made by the Committee on Attachés under this rule shall be reported to the House and entered in the Journal.

*Introduction of Bills After Constitutional Recess.*

75. Immediately upon convening after the constitutional recess the Speaker shall appoint a Standing Committee on Introduction of Bills, to consist of three members.

All motions for leave to introduce bills after the constitutional recess shall be sent to the desk in writing, under the order of "Introduction of Bills," and at no other time. The motion shall give the title of the bill, and shall be accompanied by the bill. The bill shall thereupon be referred to the Committee on Introduction of Bills.

Joint and concurrent resolutions and constitutional amendments shall not be referred to the Committee on Introduction of Bills, and shall not require a vote to authorize their introduction.

The committee shall examine bills referred to it with particular reference to the question as to whether there is already any bill in either house of the same character which might be amended to effect the result sought, and generally as to the advisability of introducing the measure.

The committee shall report upon each bill so referred to it on the same legislative day. The report shall be made at the conclusion of the consideration of the Senate Special File.

The committee may, in its discretion, incorporate more than one bill in the resolution to grant leave to introduce, incorporating in the resolution the title of each bill in full, and the roll shall be called upon the adoption of the resolution and no resolution to introduce any such bill shall be adopted without the consent of three-fourths of the members of the Assembly.

If a division of the question is demanded upon the introduction of any particular bill, the division shall be allowed, and the roll called separately upon the bill. The author of any bill shall have not more than ten minutes within which to speak to the question of the introduction of his bill and the Committee on Introduction of Bills may have the same time for reply.

*Form for Printed Amended Bills.*

76. All bills amended, either in committee or on the floor of the House, shall be immediately reprinted; the new matter added by any amendments to be printed in italics and any matter proposed to be omitted by such amendments to be included in brackets.

*Duties of Chief Clerk.*

77. The Chief Clerk shall have charge and supervision of all the clerical business of the Assembly. He shall perform the duties imposed on him by law and the rules of the Assembly. He shall have the supervision of all the clerks and assistants at the desk, of all bill clerks, bill filers, stenographers, and of all committee attachés, and all pages, and shall be responsible for their performance of and regular attendance upon their duties, and shall have power to suspend any such clerk or attaché under him for dereliction of duty, and shall report to the Committee on Attachés such suspension and the cause thereof. Said suspended clerk or attaché shall not receive any pay during the time of such suspension. The Committee on Attachés shall have the power to relieve the attaché or clerk of his suspension, and shall have the power, subject to the approval of the House, to remove any clerk or attaché for incompetency or for wilful neglect of duty.

*Lobbying.*

78. No person engaged in presenting to the Assembly or its committees any business, or claim, or legislation, shall be permitted to engage in such business in the Assembly Chamber, or be permitted on the floor of the Assembly at any time while the Assembly is in session, unless seated beside a member upon his invitation; and any person transgressing this rule shall be removed from the floor of the Assembly and be debarred from the privilege of the floor during the remainder of the entire session. The Speaker is charged with the enforcement of this rule.

This rule can not be suspended except by a two-thirds vote of the entire Assembly.

## RESOLUTIONS—(RESUMED).

The following resolutions were offered:

By Mr. McPherson:

*Resolved*, That the Chief Clerk be and is hereby instructed to inform the Senate that the Assembly is in session, pursuant to the proclamation of His Excellency the Governor, dated Wednesday, January 5, 1916, and ready for the transaction of legislative business, with the following officers, to wit:

Honorable C. C. Young	Speaker
Honorable Howard J. Fish	Speaker pro tem.
L. B. Mallory	Chief Clerk
Moses Stern	First Assistant Chief Clerk
Vincent G. Gelcich	Minute Clerk
Henry B. Miller	Sergeant-at-arms
Rev. James Whittaker	Chaplain

Resolution read, and on motion adopted.

By Mr. Widenmann:

*Resolved*, That a select committee of five be appointed by the Speaker, to act with a like committee from the Senate, to wait upon the Governor and inform him that the two houses of the Legislature are in session, and in readiness to receive any communication which he may have to make.

Resolution read, and on motion adopted.

## APPOINTMENT OF COMMITTEE.

In accordance with the above resolution, the Speaker announced the appointment of Messrs. Widenmann, Arnerich, Dennett, Kerr and Manning as such committee.

## RECESS.

At two o'clock and fifty-five minutes P. M., on motion of Mr. Ryan, the Assembly was declared at recess until three o'clock and five minutes P. M. of this day.

## REASSEMBLED.

At three o'clock and five minutes P. M., the Assembly reconvened. Speaker Young in the chair.

## REPORT OF SELECT COMMITTEE.

The committee appointed by the Speaker to wait upon the Governor appeared before the bar of the Assembly and reported that the Governor would, through his secretary, deliver a message to the Assembly.

## GOVERNOR'S MESSAGE.

The following message from the Governor was taken up and read:

**Message of Governor Hiram W. Johnson to the Legislature of the State of California, in Extraordinary Session, January 5, 1916.**

## EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA.

*To the Senate and Assembly:*

Under the power vested in me by the Constitution I have duly issued a call for an extraordinary session of the Legislature and have convened you for three specific purposes:

1. To amend the election laws of the State as specifically set forth in subdivisions 1 and 2 of the call;
2. To take such action as you may deem appropriate in reference to the San Francisco Normal School; and
3. To pass such laws as you deem essential in relation to the San Diego Exposition.

## 1. THE ELECTION LAWS.

I take it that you are familiar with the condition, at once contradictory and confusing, of the election laws of the State, and the necessity for remedial legislation. At the last session of the Legislature, in 1915, four laws relating to elections were passed and these four constituted a harmonious and complete system. Against two of these laws the referendum was invoked, and these two measures, popularly designated the non-partisan bills, were, on the 26th day of October last, defeated. The two measures thus submitted to the people by referendum and rejected by the people were the bill relating to primary elections and that prescribing the form of ballot at the final election. The two bills, which were not attacked, and concerning which no referendum was invoked, were the registration bill and the presidential preference primary law. The question presented to the voters at the special election was clean cut and well defined, and that question was, whether or not the officials of the State required to be elected by the voters should be chosen in partisan or in non-partisan fashion. All of the persuasive endeavors of both sides of the controversy in the special election were directed solely to this question, and on the one side it was argued that our state officials should be elected without regard to partisanship, and on the other, the desirability of parties choosing candidates for state offices was earnestly advocated. The registration bill, under which the elector is not required to state his party affiliation, at the time of registration, was accepted by both sides, and acquiesced in by all the people of the State of California. Since August 10, 1915, it has been continuously the law of the State and is today the solemn enactment of both houses of the Legislature and of the executive branch of the government.

The primary law of 1913 continued in force because of the defeat of the law of 1915, at the special election, can not be operative if the registration law adopted and accepted by all the people of the State be enforced; and presented to us, therefore, is the problem, how shall election of state officers be made partisan and the laws that have been duly enacted and are in force today be preserved as well? It is obvious that we can no more rightfully disregard one law than another and that officials are bound to obey all the laws of the State. It is our plain duty, therefore, while recognizing the result of the recent special election and carrying out what those who then voted declared should be the policy of the State—the nomination and election by parties and in partisan fashion of candidates for state offices—to maintain and uphold a plain statute which has neither been questioned nor challenged, and which, up to this time, all of the people of the State of California have accepted and acquiesced in. Speedily and readily the result may be attained by the amendment of the primary law, and by this amendment, candidates for state offices will be nominated by political parties and will be elected wholly in partisan fashion, and the registration law will be preserved intact. The time of the declaration of party affiliation is simply changed from the time of registration to the time of the primary. This is neither a new nor a novel proceeding. It is the course pursued in the majority of the states having primary laws. Today, in states like Massachusetts, Idaho, Indiana, Michigan, Minnesota, West Virginia, Illinois, Wisconsin, Arizona, Colorado, Kansas, Missouri, Montana, and others, the voter declares his party affiliation at the time of the primary and surely it will not be argued that the election laws of these states are non-partisan. I repeat that by the amendment proposed to the primary law, every official required to be elected in the State will be nominated as the candidate of a political party and will be elected as a candidate of a political party. If this be

done, no man acting in good faith can ask more. If the registration law were today amended, the amendment could not take effect until ninety days after the adoption of the amendment. Registration is to commence on the first day of January, and to continue then for use at the presidential preference primary to be held on or about May 2d. It is important, therefore, that a registration law be in effect now and for the period required in order that there may be no more confusion hereafter. If any other reason were needed for upholding what we have solemnly enacted, and what today is the law, it is presented with unanswerable logic by the fact that we would but add to the confusion now existing and leave the election laws still uncertain and inoperative, for more than three months by an attempted amendment of the registration law.

In its larger sense, however, the reason for the amendment of the primary law is that by that amendment we do exactly what the majority who voted at the special election, October 26th, decreed should be done, and we maintain the law duly enacted and unanimously acquiesced in. There was not a single vote in the Senate of the State of California at the 1915 session cast against the registration law, nor was there a single vote cast in that body against the presidential preference primary law, and yet the presidential preference primary law then enacted with this unanimity, distinctly provided for the declaration of party affiliation at the primary itself and at no other time.

It is worse than a confusion of thought to say that the will of the people was expressed upon registration at the recent special election. This is not so. The will of the people upon registration was expressed by the representatives of the people at the legislative session of 1915, and thereafter expressed by all of the people in the failure of any to attack the registration law, or invoke against it the referendum. It is nothing short of misrepresentation to assert that the amendment of the primary law, in the manner suggested, makes the election system of the State non-partisan. The amendment suggested makes the election system of this State *partisan*. It makes a system by which the political parties of the State will nominate candidates for state offices. Those candidates will then have their names printed on the official election ballot with their party designation and will be voted for as partisan candidates. To claim otherwise, is to demonstrate either a poverty of intellect or the wilful design of misrepresentation.

It may be that other means could be devised for partisan nominations and partisan elections and that if time permitted, and no confusion would result, another mode might be presented to cure the existing defects. But whether other courses might be adopted, whether any mode could be suggested that would meet the approval of the most captious, the mode now suggested does do exactly the very thing desired—requires nomination of candidates by political parties and election of candidates as candidates of political parties in partisan fashion.

## 2. SAN FRANCISCO NORMAL SCHOOL.

The San Francisco Normal School is occupying practically temporary quarters. The buildings are unsightly and unsafe. All of us who are familiar with the situation have long known that it was a question of but a brief period until an appropriation of some hundreds of thousands of dollars would be required for reconstruction, etc. Out of the beautiful Exposition that has just been concluded in San Francisco came a suggestion for the preservation of the California Building, and its acquisition by the State for the San Francisco Normal School. Sentimentally, the idea was enthusiastically received by all who are familiar with the location; but it was not until the trustees of the normal school, their expert engineer, and those interested in the preservation of the California Building presented the financial economy of the plan, and its advantages from a business standpoint, that I felt at liberty to submit the question to the Legislature for action.

The Panama-Pacific International Exposition, due to prudent, sagacious and very able management will realize a considerable sum for ultimate distribution among those who contributed its funds. Under the law creating the California Commission, thanks to the foresight of those who prepared the measure, it was provided that the State should receive the State's proportionate share of any moneys realized from the Exposition, and, subsequently, in conformity with the law, a contract was made by the State Commission with the Directors of the Exposition of like character. It is represented to me that a sum probably equalling a million dollars will ultimately be realized from the Exposition and the State will be entitled to its proportionate share of this sum.

The proposal in reference to the normal school is not to appropriate any money from the general fund at all and the finances of the State, therefore, will not be strained by consummating the plan. It is desired that the Normal School Trustees shall be given power to condemn the land upon which the California Building stands and land adjacent thereto, to remodel the California Building in accordance with the reports and estimates of the experts, to receive, if necessary, appropriate lands in exchange for funds due to the State from the Exposition, to change the site of the normal school from its present location to the California Building of the Exposition, and to dispose of the present site. The estimates submitted to me by the Normal School Trustees and their engineer for the modification of the California Building and its construction into a most beautiful state institution aggregate \$195,000, and the

purchase price of the real estate, it is asserted, ought not to exceed \$100,000. The condemnation proceedings must be commenced at once, and it is necessary therefore that the requisite authority be immediately given. The appropriation asked in the bill submitted is wholly from moneys which shall be returned from the Exposition to the State, and I reiterate that the general finances of the State are not touched at all.

I am not unmindful of the difficulties and obstacles which may preclude us from successfully carrying out the proposed design; but, in order that we may endeavor thus to consummate a plan at once appealing to our sentiment and business judgment, the powers asked must be accorded by the Legislature.

### 3. SAN DIEGO EXPOSITION.

Californians may be very proud of the great International Exposition which has just been concluded at San Francisco. It marked an epoch in World's Expositions, and its marvels and its beauty were worthy of our State. The State dealt generously with the Exposition but the Exposition itself has more than justified the State's generosity. During the year 1915 California has had not only its great International Exposition at San Francisco but the remarkably beautiful Exposition at San Diego. I can not too highly commend the energy and the pluck of the city of San Diego in maintaining, as it has, an Exposition creditable and beneficial alike to that locality and to the State of California.

The San Diego Exposition will continue during the year 1916. In order that it may continue it asks the passage of the enabling act relating to Balboa Park, and it may be assumed that very readily this will be done.

In addition, a small measure of aid is asked now from the State; and from the same source as our funds for the San Francisco Normal School are obtained. I should very heartily favor an appropriation of this sort for the San Diego Exposition.

The subjects to which I have referred in this message are the only subjects that are before this extraordinary session of the Legislature. Purposely and designedly have I restricted the call within the narrowest possible limits. I say to you very frankly that I have endeavored by the statement of the matter in relation to the election laws to restrict you to the amendment of the primary law. I have done this after the most careful thought and consultation with those most familiar with the election machinery of the State, and because this amendment immediately dispels a confusion now existing, requires nominations of candidates for State offices by political parties and makes elections partisan in character, while not disturbing other laws in force. If we meet upon a common ground to make nominations and elections in the State partisan and to perform our sworn duty to uphold the laws as they exist, there can be occasion neither for bitter controversy nor long delay. The result, if the design be to make our elections partisan, may be attained in one brief day. Upon important subjects often in one day you have finally acted. Upon this subject, if all that is desired is desired is partisanship in our State elections and in our State nominations, we may act with celerity and the means are at hand. I would not, of course, suggest undue haste and would ask careful scrutiny and consideration of your legislation, but once it is clear that the object is attained by the amendment suggested, necessity no longer exists for a continuance of the session.

Dated, Sacramento, January 5, 1916.

HIRAM W. JOHNSON,  
Governor.

### INTRODUCTION AND REFERENCE OF BILLS.

The following bills were introduced and referred as indicated:

By Mr. Young: Assembly Bill No. 1—An act to amend an act entitled "An act to provide for and regulate primary elections, and providing a method for choosing the delegates for political parties to state conventions, etc."

Bill read first time, and referred to Committee on Elections.

Also: Assembly Bill No. 2—An act to amend sections 3, 6 and 9 of an act entitled "An act to provide for the indication by the registered qualified electors of their choice for nomination by their respective political parties.

Bill read first time, and referred to Committee on Elections.

By Messrs. Lyon and Bartlett: Assembly Bill No. 3—An act to amend sections 15, 16 and 17 of an act entitled "An act to provide for and regulate primary elections, and providing a method for choosing the delegates for political parties to state conventions, etc."

Bill read first time, and referred to Committee on Elections.

By Mr. Manning: Assembly Concurrent Resolution No. 1—Relative to celebration in Marin County of Drake's landing.

Resolution read, and referred to Committee on Rules.

#### REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

##### REPORT OF COMMITTEE ON MILEAGE.

ASSEMBLY CHAMBER, SACRAMENTO, CAL., January 5, 1916.

MR. SPEAKER: Your Committee on Mileage beg leave to report that they have computed the mileage according to Part II, Title III, and Section 237 of the Political Code, and recommend the adoption of the resolution herewith:

*Resolved*, That the State Controller be and he is hereby directed and ordered to draw his warrant upon the proper fund in favor of the following named officers and members of the Assembly for the amounts set opposite their names, and the State Treasurer is hereby directed and ordered to pay the same:

District.....	Name	Address	Miles from county seat, less more	Miles from county seat, less more	Total mileage.....	Amount at 10¢ per mile.....
39	Anderson, Frank W....	Oakland, Alameda Co.....	84	-----	168	\$16 80
35	Arnerich, Paul J....	Alameda, Alameda Co.....	84	5	178	17 80
19	Ashley, George W....	Stockton, San Joaquin Co.....	48	-----	96	9 60
77	Avey, William A....	Riverside, Riverside Co.....	512	-----	1,224	162 40
63	Bartlett, Alfred L....	Los Angeles, Los Angeles Co.....	447	-----	894	89 40
34	Beck, George .....	Livermore, Alameda Co.....	84	16	200	20 00
66	Benton, Richmond P....	Los Angeles, Los Angeles Co.....	447	-----	894	89 40
12	Boude, Knox .....	Sebastopol, Sonoma Co.....	90	7	194	19 40
48	Boyce, A. E.....	Monterey, Monterey Co.....	208	24	404	45 40
42	Brown, Henry Ward....	Colma, San Mateo Co.....	119	20	198	19 80
47	Browne, Maurice B....	Stanislaus, Tuolumne Co.....	125	25	300	30 00
11	Bruck, Bismark .....	St. Helena, Napa Co.....	61	17	156	15 60
76	Burke, Joe C.....	Santa Ana, Orange Co.....	481	-----	962	96 20
29	Byrnes, James J....	San Francisco, San Francisco Co.....	90	-----	180	18 00
33	Canepa, Victor J....	San Francisco, San Francisco Co.....	90	-----	180	18 00
52	Cary, L. B.....	Reedley, Fresno Co.....	169	24	386	38 60
72	Chamberlin, Harry A....	Los Angeles, Los Angeles Co.....	447	-----	894	89 40
14	Chenoweth, Walter W....	Sacramento, Sacramento Co.....	1	-----	2	20
24	Collins, W. M.....	San Francisco, San Francisco Co.....	90	-----	180	18 00
79	Conard, Grant .....	San Diego, San Diego Co.....	573	-----	1,146	114 60
46	Dennett, Lewis L....	Modesto, Stanislaus Co.....	77	-----	134	15 40
73	Downing, George W....	Los Angeles, Los Angeles Co.....	447	-----	894	89 40
20	Edwards, Lawrence .....	Stockton, San Joaquin Co.....	48	-----	96	9 60
60	Edwards, Roger G....	Saticoy, Ventura Co.....	490	10	1,000	100 00
36	Encell, Harry A.....	Oakland, Alameda Co.....	81	-----	168	16 80
38	Ferguson, Daniel .....	Oakland, Alameda Co.....	84	-----	168	16 80
67	Fish, Howard J.....	Pasadena, Los Angeles Co.....	447	9	912	91 20
15	Gebhart, Lee .....	Sacramento, Sacramento Co.....	1	-----	2	20
40	Gelder, George .....	Berkeley, Alameda Co.....	84	-----	168	16 80
25	Godsil, Chas. W.....	San Francisco, San Francisco Co.....	90	-----	180	18 00
36	Harris, W. W.....	Bakersfield, Kern Co.....	278	-----	556	55 60
51	Lawson, Henry .....	Fresno, Fresno Co.....	169	-----	338	33 80
45	Hayes, D. R.....	San Jose, Santa Clara Co.....	128	-----	256	25 60
26	Hayes, J. J.....	San Francisco, San Francisco Co.....	90	-----	180	18 00
57	Johnson, Geo. H.....	San Bernardino, San Bernardino Co.....	568	-----	1,016	101 60
80	Judson, Fred F.....	Escondido, San Diego Co.....	573	8	1,130	113 00
22	Kennedy, Wm. P.....	San Francisco, San Francisco Co.....	90	-----	180	18 00
16	Kerr, Robert I.....	Jackson, Amador Co.....	59	-----	118	11 80
59	Kramer, Ira E.....	Santa Barbara, Santa Barbara Co.....	400	-----	920	92 00
54	Long, W. A.....	Hanford, Kings Co.....	214	36	428	42 80
68	Lostutter, L. L.....	Pomona, Los Angeles Co.....	447	32	958	95 80
62	Lyon, Chas. W.....	Venice, Los Angeles Co.....	447	18	936	93 60
3	McCray, C. C.....	Redding, Shasta Co.....	171	-----	342	34 20
28	McDonald, J. J.....	San Francisco, San Francisco Co.....	90	-----	180	18 00
21	McDonald, Walter A....	San Francisco, San Francisco Co.....	90	-----	180	18 00
75	McKnight, Jas. S.....	Los Angeles, Los Angeles Co.....	447	-----	894	89 40

District	Name	Address	Distance of county seat.	Total millage	Amount at 10c per mile.
43	McPherson, H. F.	Santa Cruz, Santa Cruz Co.	198	396	\$39 60
17	Manning, J. E.	San Anselmo, Marin Co.	165	214	21 40
30	Marron, Jos. E.	San Francisco, San Francisco Co.	90	180	18 00
7	Meek, B. B.	Oroville, Butte Co.	86	172	17 20
74	Mouser, Frank H.	Los Angeles, Los Angeles Co.	447	894	89 40
6	Pettis, J. A.	Fort Bragg, Mendocino Co.	150	432	43 20
58	Phelps, John S.	Redlands, San Bernardino Co.	528	1,034	103 40
65	Phillips, Peter C.	Los Angeles, Los Angeles Co.	447	894	89 40
27	Prendergast, N. J.	San Francisco, San Francisco Co.	90	180	18 00
2	Quinn, John F.	Eureka, Humboldt Co.	312	624	62 40
1	Ream, H. B.	Sisson, Siskiyou Co.	295	498	49 80
53	Rigdon, E. S.	Carmhria, San Luis Obispo	343	756	75 60
32	Rodgers, Frank N.	San Francisco, San Francisco Co.	90	180	18 00
70	Rominger, Jos. A.	Long Beach, Los Angeles Co.	447	932	93 80
23	Ryan, James J.	San Francisco, San Francisco Co.	90	180	18 00
13	Salisbury, Geo. W.	Santa Rosa, Sonoma Co.	90	180	18 00
37	Satterwhite, Wm. T.	Oakland, Alameda Co.	84	168	16 80
31	Schmitt, Milton L.	San Francisco, San Francisco Co.	90	180	18 00
64	Scott, Chas. E.	Los Angeles, Los Angeles Co.	447	894	89 40
55	Scott, Fred C.	Visalia, Tulare Co.	266	412	41 20
4	Shartel, A. F.	Alturas, Modoc Co.	1	2	2 00
18	Sharkey, Wm. R.	Martinez, Contra Costa Co.	62	124	12 40
5	Sisson, Elmer L.	Red Bluff, Tehama Co.	135	250	27 00
71	Spengler, Lewis A.	Los Angeles, Los Angeles Co.	447	894	89 40
8	Tabler, L. N.	Knights Landing, Yolo Co.	23	70	7 00
10	Widenmann, H. J.	Vallejo, Solano Co.	40	118	11 80
78	Wills, Robert E.	Brawley, Imperial Co.	661	1,294	129 40
51	Wishard, Harry A.	Los Angeles, Los Angeles Co.	447	894	89 40
69	Wright, Henry W.	South Pasadena, Los Angeles Co.	447	910	91 00
44	Wright, T. M.	San Jose, Santa Clara Co.	128	256	25 60
41	Young, C. C.	Berkeley, Alameda Co.	84	168	16 80

## OFFICERS.

L. B. Mallory	Los Gatos, Santa Clara Co.	1	20
Vincent G. Geleich	Los Angeles, Los Angeles Co.	447	894
H. B. Miller	Sacramento, Saeramento Co.	1	20

McDONALD, J. J., Chairman.  
 BYRNES,  
 FERGUSON.

The above report was ordered printed in the Journal.

## ADJOURNMENT.

At three o'clock and forty minutes P. M., on motion of Mr. Fish, the Assembly was declared adjourned until nine o'clock and thirty minutes A. M. of Thursday, January 6, 1916.

## IN ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, CAL.,  
Thursday, January 6, 1916.

At nine o'clock and thirty minutes a.m., pursuant to adjournment, the Assembly was called to order.

Hon. C. C. Young, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk L. B. Mallory, and the following members answered to their names:

Messrs. Anderson, Arnerich, Ashley, Avey, Bartlett, Beck, Benton, Boude, Boyce, Brown, Henry Ward; Browne, M. B., Bruck, Burke, Byrnes, Canepa, Cary, Chamberlin, Chonoweth, Collins, Conard, Dennett, Downing, Edwards, L., Edwards, R. G., Encell, Ferguson, Fish, Gebhart, Gelder, Godsil, Harris, Hawson, Hayes, D. R., Hayes, J. J., Johnson, Judson, Kennedy, Kerr, Kramer, Long, Losutter, Lyon, Manning, Marron, McDonald, J. J., McDonald, W. A., McKnight, McPherson, Meek, Mouser, Pettis, Phelps, Phillips, Prendergast, Quinn, Ream, Rigdon, Rodgers, Rominger, Ryan, Salisbury, Satterwhite, Schmitt, Scott, C. E., Scott, F. C., Sharkey, Shartel, Sisson, Spengler, Tabler, Widenmann, Wills, Wishard, Wright, H. W., Wright, T. M., and Mr. Speaker—76.

Quorum present.

## LEAVE OF ABSENCE.

On motion of Mr. Rigdon, Mr. McCray was granted leave of absence on account of sickness.

## PRAYER.

Prayer was offered by the Rev. James Whittaker, Chaplain of the Assembly.

## READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Satterwhite, its further reading was dispensed with.

## ASSISTANT CLERK WENDERING READING.

## INTRODUCTION AND REFERENCE OF BILLS.

The following bills were introduced and referred as indicated:

By Mr. Ryan: Assembly Bill No. 4—An act to provide for the disposition of any money or other property accruing to or to be received by the State of California and its proportionate share of the returns from the holding of the Panama-Pacific International Exposition.

Bill read first time, and referred to Committee on Ways and Means and Normal Schools.

Also: Assembly Bill No. 5—An act to authorize and empower the board of trustees of the San Francisco State Normal School to sell or exchange and convey the lands and buildings of said school; to acquire by purchase, gift, condemnation or otherwise a new site for said school and to erect thereon buildings suitable and appropriate therefor, or to remodel or reconstruct any building already erected on the site so purchased or acquired, and to purchase therefor necessary and appropriate furniture and equipment; to create a fund into which shall be

paid the proceeds of the sale of the present school property and making an appropriation to carry out the purposes of this act.

Bill read first time, and referred to Committee on Ways and Means and Normal Schools.

Also: Assembly Bill No. 6—An act authorizing the city and county of San Francisco to close and abandon certain public streets, or parts of public streets, in the city and county and to transfer title thereto to the State of California.

Bill read first time, and referred to Committee on Ways and Means and Normal Schools.

By Mr. Burke: Assembly Bill No. 7—An act to amend section ten hundred ninety-six of the Political Code, relating to elections and the registration of voters.

Bill read first time, and referred to Committee on Elections.

By Mr. Conard: Assembly Bill No. 8—An act appropriating fifty thousand dollars for the completion, maintenance and repair of the California State building at the Panama-California International Exposition.

Bill read first time, and referred to Committee on Ways and Means.

Also: Assembly Bill No. 9—An act to amend section one of an act entitled "An act giving and granting to the Board of Park Commissioners of the city of San Diego the right to use and the right to authorize the use of Balboa Park in said city for exposition purposes," approved March 24, 1911, extending the terms of said section to the year 1916.

Bill read first time, and referred to Committee on Ways and Means.

#### ANNOUNCEMENT.

The following announcement was made:

By Mr. Speaker:

*To the Members of the Assembly, State of California:*

I beg leave to announce that pursuant to section 247 of the Political Code, and upon the recommendation of Committee on Attaches, I hereby appoint the following named page at the per diem provided by law; to date from and include Thursday, January 6, 1916:

C. E. Duhain,

#### RESOLUTIONS.

The following resolutions were offered:

By Mr. Shartel:

*Resolved*, That the Controller is hereby authorized and directed to draw his warrant upon the fund for payment of officers and employees of the Assembly in favor of the following named persons for the sums set opposite their respective names and the Treasurer is directed to pay the same; said amount being in payment for one day's services prior and incident to the convening of the present extraordinary session of the Assembly:

II. B. Miller, Sergeant-at-Arms-----	\$8.00
Vincent G. Gelcich, Minute Clerk-----	9.00

Mr. Shartel moved the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Anderson, Arnerich, Ashley, Avey, Bartlett, Beck, Benton, Bonde, Byrnes, Chamberlin, Conard, Dennett, Downing, Edwards, R. G., Encell, Ferguson, Fish, Harris, Hawson, Hayes, D. R., Hayes, J. J., Kennedy, Kerr, Kramer, Losntter, Lyon, Manning, McDonald, J. J., McKnight, McPherson, Meek, Mouser, Pettis, Phelps, Phillips, Prendergast, Quinn, Ream, Rigdon, Rominger, Ryan, Salisbury, Satterwhite, Schmitt, Sharkey, Shartel, Spengler, Wills, Wishard, Wright, H. W., Wright, T. M., and Mr. Speaker—52.

NOES—Browne, M. B.—1.

Also:

*Resolved*, that the action of L. B. Mallory, Chief Clerk, in employing necessary assistance after the organization of the Assembly, to perform their respective duties is hereby approved and ratified and the Controller is hereby authorized and directed to draw his warrants upon the fund for the payment of officers and employees in favor of the following named persons and the Treasurer is authorized to pay the same:

Miss Gertrude B. Sears, Stenographer-----	\$5.00
Rob't Greer, Assistant Sergeant-at-Arms-----	5.00
E. P. Hannon, Doorkeeper-----	3.00
John McTiernan, Doorkeeper-----	3.00
Nat Haslett, Cloakroom Attendant-----	3.00
C. E. Duhain, Page-----	2.50

Mr. Shartel moved the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Anderson, Arnerich, Ashley, Avey, Bartlett, Beck, Benton, Bonde, Browne, M. B., Chamberlin, Collins, Conard, Dennett, Downing, Edwards, R. G., Encell, Ferguson, Fish, Harris, Hawson, Hayes, D. R., Hayes, J. J., Kennedy, Kramer, Long, Lostutter, Manning, McDonald, J. J., McKnight, McPherson, Meek, Monser, Pettis, Phelps, Phillips, Prendergast, Ream, Rigdon, Rominger, Ryan, Salisbury, Satterwhite, Schmitt, Sharkey, Shartel, Spengler, Wills, Wishard, Wright, H. W., Wright, T. M., and Mr. Speaker—51.

NOES—None.

By Mr. Eneell:

*Resolved*, That the Controller be authorized and directed to draw his warrant in favor of L. B. Mallory, Chief Clerk, and the Treasurer is directed to pay the same, for the sum of fifteen (\$15.00) dollars. Said amount to be used as a revolving fund for use in Assembly Post Office, for purchase of stamps, postals, etc.

Mr. Eneell moved the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Anderson, Arnerich, Ashley, Beck, Benton, Browne, M. B., Cary, Chamberlin, Chenoweth, Collins, Downing, Edwards, R. G., Ferguson, Fish, Gelder, Harris, Hawson, Hayes, D. R., Hayes, J. J., Johnson, Kerr, Kramer, Long, Lostutter, Lyon, Manning, McDonald, J. J., McDonald, Walter A., McKnight, McPherson, Meek, Mouser, Pettis, Phelps, Phillips, Prendergast, Ream, Rigdon, Rominger, Ryan, Salisbury, Satterwhite, Sharkey, Shartel, Sisson, Spengler, Wills, Wishard, Wright, H. W., Wright, T. M., and Mr. Speaker—52.

NOES—None.

Also:

*Resolved*, That the Chief Clerk of the Assembly or the Sergeant-at-Arms of the Assembly be and they are hereby authorized to receipt to the Controller for any and all warrants for payment to members, officers and attaches of the Assembly.

Resolution read, and on motion adopted.

#### RECESS.

At ten o'clock and fifteen minutes a.m., the Assembly was declared at recess until two o'clock and thirty minutes p.m. of this day.

#### REASSEMBLED.

At two o'clock and thirty minutes p.m. the Assembly reconvened. Speaker Young in the chair.

#### REPORT OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

##### ON ATTACHES AND EMPLOYEES.

ASSEMBLY CHAMBER, SACRAMENTO, January 6, 1916.

MR. SPEAKER: Your Committee on Attaches and Employees respectfully begs leave to submit the following report, and recommends the adoption of the following resolution:

*Resolved*, That the following named persons be and they are hereby appointed

and employed for the positions, at the per diem set opposite their respective names, said per diem to be paid out of the fund for payment of officers and employees of the Assembly. Said appointments to date from and including the 6th day of January, 1916, and the Controller is hereby authorized and directed to draw his warrants upon the said fund in favor of the following named persons for the said per diem, and the State Treasurer is hereby authorized and directed to pay the same; namely:

J. O. Hestwood-----	Engrossing and Enrolling Clerk-----	\$7.00
Robert E. Greer-----	Assistant Sergeant-at-Arms-----	5.00
Miss Gertrude B. Sears-----	Stenographer-----	5.00
Miss Clara Morrill-----	Stenographer-----	5.00
Mrs. Bessie Smith-----	Stenographer-----	5.00
Miss Josephine Gross-----	Stenographer-----	5.00
Nat Haslett-----	Committee Clerk-----	4.00
Harry Vacher-----	Committee Clerk-----	4.00
L. B. Gross-----	Committee Clerk-----	4.00
Miss Ada Ford-----	Postmistress-----	4.00
E. P. Hannon-----	Doorkeeper-----	3.00
John McTiernan-----	Doorkeeper-----	3.00
Jack Judge-----	Cloakroom Attendant-----	3.00

Mr. Shartel moved the adoption of the report and resolution.

The roll was called, and the report and resolution adopted by the following vote:

AYES—Messrs. Ashley, Avey, Bartlett, Benton, Boude, Boyce, Brown, Henry Ward; Bruck, Byrnes, Canepa, Cary, Chamberlin, Collins, Conard, Dennett, Downing, Edwards, L., Encell, Ferguson, Gelder, Godsil, Harris, Hawson, Hayes, D. R., Hayes, J. J., Judson, Kerr, Kramer, Long, Lostutter, Lyon, Manning, Marron, McDonald, J. J., McDonald, W. A., McKnight, Mouser, Phelps, Quinn, Rigdon, Rodgers, Rominger, Ryan, Satterwhite, Schmitt, Scott, Chas. E., Scott, Fred C., Sisson, Widenmann, Wills, Wright, T. M., and Mr. Speaker—52.

NOES—None.

#### COMMITTEE ON MILEAGE.

ASSEMBLY CHAMBER, SACRAMENTO, CAL., January 6, 1916.

MR. SPEAKER: Your Committee on Mileage begs leave to report that it has computed the mileage according to part II, title III, and section 237 of the Political Code, and recommends the adoption of the resolution herewith:

Resolved, That the State Controller be and he is hereby directed and ordered to draw his warrant upon the proper fund in favor of the following named officers and members of the Assembly for the amounts set opposite their names, and the State Treasurer is hereby directed and ordered to pay the same:

District	Name	Address	Distance of county seat from more	Miles from county seat, less	Miles from county seat,	Total mileage	Amount at rate per mile
39	Anderson, Frank W.	Oakland, Alameda Co.	84	-----	168	\$16.80	
35	Arnerich, Paul J.	Alameda, Alameda Co.	84	5	178	17.80	
19	Ashley, George W.	Stockton, San Joaquin Co.	48	-----	96	9.60	
77	Avey, William A.	Riverside, Riverside Co.	512	-----	1,024	102.40	
63	Bartlett, Alfred L.	Los Angeles, Los Angeles Co.	447	-----	894	89.40	
34	Beck, George	Livermore, Alameda Co.	84	16	200	20.00	
66	Benton, Richmond P.	Los Angeles, Los Angeles Co.	447	-----	894	89.40	
12	Boude, Knox	Sebastopol, Sonoma Co.	90	7	194	19.40	
48	Boyce, A. E.	Monterey, Monterey Co.	208	24	464	46.40	
42	Brown, Henry Ward	Colma, San Mateo Co.	119	-----	20	19.80	
47	Browne, Maurice B.	Stanislaus, Tuolumne Co.	125	25	300	30.00	
11	Bruck, Bismark	St. Helena, Napa Co.	61	17	156	15.60	
76	Burke, Joe C.	Santa Ana, Orange Co.	481	-----	962	96.20	
29	Byrnes, James J.	San Francisco, San Francisco Co.	90	-----	180	18.00	
33	Canepa, Victor J.	San Francisco, San Francisco Co.	90	-----	180	18.00	
52	Cary, L. B.	Reedley, Fresno Co.	169	24	386	38.60	
72	Chainberlin, Harry A.	Los Angeles, Los Angeles Co.	447	-----	894	89.40	
14	Chenoweth, Walter W.	Sacramento, Sacramento Co.	-----	1	2	20	
24	Collins, W. M.	San Francisco, San Francisco Co.	90	-----	180	18.00	
79	Conard, Grant	San Diego, San Diego Co.	573	-----	1,146	114.60	
46	Dennett, Lewis L.	Modesto, Stanislaus Co.	77	-----	154	15.40	
73	Downing, George W.	Los Angeles, Los Angeles Co.	447	-----	894	89.40	

District	Name	Address	Distance of county seat	Miles from county seat, less more	Total mileage	Amount at 10¢ per mile
20	Edwards, Lawrence	Stockton, San Joaquin Co.	48		96	\$0 60
60	Edwards, Roger G.	Saticoy, Ventura Co.	490	10	1,000	100 00
36	Eneell, Harry A.	Oakland, Alameda Co.	84		168	16 80
38	Ferguson, Daniel	Oakland, Alameda Co.	84		168	16 80
67	Fish, Howard J.	Pasadena, Los Angeles Co.	447	9	912	91 20
15	Gebhart, Lee	Sacramento, Sacramento Co.		1	2	20
40	Gelder, George	Berkeley, Alameda Co.	84		168	16 80
25	Godsil, Chas. W.	San Francisco, San Francisco Co.	90		180	18 00
56	Harris, W. W.	Bakersfield, Kern Co.	278		556	55 60
51	Hawson, Henry	Fresno, Fresno Co.	169		338	33 80
45	Hayes, D. R.	San Jose, Santa Clara Co.	128		256	25 60
26	Hayes, J. J.	San Francisco, San Francisco Co.	90		180	18 00
57	Johnson, Geo. H.	San Bernardino, San Bernardino Co.	508		1,016	101 60
80	Judson, Fred E.	Escondido, San Diego Co.	573	8	1,130	113 00
22	Kennedy, Wm. P.	San Francisco, San Francisco Co.	90		180	18 00
16	Kerr, Robert L.	Jackson, Amador Co.	59		118	11 80
59	Kramer, Ira E.	Santa Barbara, Santa Barbara Co.	460		920	92 00
54	Long, W. A.	Hanford, Kings Co.	214	36	428	42 80
68	Lostutter, L. L.	Pomona, Los Angeles Co.	447	32	958	95 80
62	Lyon, Chas. W.	Venice, Los Angeles Co.	447	18	930	93 00
3	McCravy, C. C.	Redding, Shasta Co.	171		342	34 20
28	McDonald, J. J.	San Francisco, San Francisco Co.	90		180	18 00
21	McDonald, Walter A.	San Francisco, San Francisco Co.	90		180	18 00
75	McKnight, Jas. S.	Los Angeles, Los Angeles Co.	447		894	89 40
43	McPherson, H. E.	Santa Cruz, Santa Cruz Co.	198		396	39 60
17	Manning, J. E.	San Anselmo, Marin Co.	105	2	214	21 40
30	Marron, Jos. E.	San Francisco, San Francisco Co.	90		180	18 00
7	Meek, B. B.	Oroville, Butte Co.	86		172	17 20
74	Mouser, Frank H.	Los Angeles, Los Angeles Co.	447		894	89 40
6	Pettis, J. A.	Fort Bragg, Mendocino Co.	150	66	432	43 20
58	Phelps, John S.	Redlands, San Bernardino Co.	508	9	1,034	103 40
65	Phillips, Peter C.	Los Angeles, Los Angeles Co.	447		894	89 40
27	Prendergast, N. J.	San Francisco, San Francisco Co.	90		180	18 00
2	Quinn, John F.	Eureka, Humboldt Co.	312		624	62 40
1	Rean, H. B.	Sisson, Siskiyou Co.	295	46	498	49 80
53	Ridgon, E. S.	Cumbria, San Luis Obispo	343	35	756	75 60
32	Rodgers, Frank N.	San Francisco, San Francisco Co.	90		180	18 00
70	Rominger, Jos. A.	Long Beach, Los Angeles Co.	447	22	938	93 80
23	Rynn, James J.	San Francisco, San Francisco Co.	90		180	18 00
13	Salisbury, Geo. W.	Santa Rosa, Sonoma Co.	90		180	18 00
37	Satterwhite, Wm. T.	Oakland, Alameda Co.	84		168	16 80
31	Schmitt, Milton L.	San Francisco, San Francisco Co.	90		180	18 00
64	Scott, Chas. E.	Los Angeles, Los Angeles Co.	447		894	89 40
55	Scott, Fred C.	Visalia, Tulare Co.	206		412	41 20
4	Shartel, A. F.	Alturas, Modoc Co.		1	2	20
18	Sharkey, Wm. R.	Martinez, Contra Costa Co.	62		124	12 40
5	Sisson, Elmer L.	Red Bluff, Tehama Co.	135		270	27 00
71	Spengler, Lewis A.	Los Angeles, Los Angeles Co.	447		894	89 40
8	Tubler, L. N.	Knights Landing, Yolo Co.	23	12	70	7 00
10	Widenmann, H. J.	Vallejo, Solano Co.	40	19	118	11 80
78	Wills, Robert E.	Brawley, Imperial Co.	661	14	1,294	129 40
51	Wishard, Harry A.	Los Angeles, Los Angeles Co.	447		894	89 40
69	Wright, Henry W.	South Pasadena, Los Angeles Co.	447	8	910	91 00
44	Wright, T. M.	San Jose, Santa Clara Co.	128		256	25 60
41	Young, C. C.	Berkeley, Alameda Co.	84		168	16 80

## OFFICERS.

L. B. Mallory	Los Gatos, Santa Clara Co.	1	2	20
Vincent G. Gelich	Los Angeles, Los Angeles Co.	447	894	89 40
H. B. Miller	Sacramento, Sacramento Co.	1	2	20

McDONALD, J. J., Chairman.  
 BYRNES,  
 FERGUSON.

Mr. McDonald, J. J., moved the adoption of the report and resolution.

The roll was called, and the report and resolution adopted by the following vote:

**AYES**—Messrs. Ashley, Bartlett, Benton, Boude, Boyce, Brown, Henry Ward; Bruck, Burke, Byrnes, Canepa, Chamberlin, Collins, Conard, Dennett, Ferguson, Gelder, Godsil, Harris, Hawson, Hayes, D. R., Hayes, J. J., Judson, Kennedy, Long, Lostntter, Lyon, Manning, McDonald, J. J., McDonald, W. A., Mouser, Phelps, Quinn, Ridgon, Rodgers, Rominger, Ryan, Satterwhite, Schmitt, Scott, Chas. E., Scott, Fred C., Sisson, Spengler, Widemann, Wills, Wishard, and Mr. Speaker—46.

**NOES**—None.

#### COMMITTEE ON ELECTIONS.

ASSEMBLY CHAMBER, SACRAMENTO, January 6, 1916.

MR. SPEAKER: Your Committee on Elections, to which was referred Assembly Bill No. 1—An act to amend an act entitled "An act to provide for and regulate primary elections, and providing a method for choosing the delegates for political parties to State conventions, etc.";

Also: Assembly Bill No. 2—An act to amend sections three, six, nine of an act entitled "An act to provide for the indication by the registered qualified electors of their choice for nomination by their respective political parties": Has had the same under consideration, and respectfully reports the same back and recommends that they do pass.

RYAN, Chairman.

The above reported bills ordered on file for second reading.

#### SPECIAL SECOND READING FILE.

Assembly Bill No. 1—An act to amend an act entitled "An act to provide for and regulate primary elections, and providing a method for choosing the delegates for political parties to state conventions and for nominating electors of President and Vice President of the United States, and providing for the election of party county central committees, and to repeal the act approved April 7, 1911, known as the Direct Primary Law, and also to repeal the act approved December 24, 1911, amending sections one, three, five, seven, ten, twelve, thirteen, twenty-two, twenty-three, and twenty-four of the said direct primary law, and also to repeal all other acts or parts of acts inconsistent with or in conflict with the provisions of this act"; approved June 16, 1913, by amending sections one, two, four, five, seven, nine, ten, twelve, thirteen, sixteen, seventeen, nineteen, twenty-one, twenty-two, twenty-three, twenty-four, twenty-five, twenty-eight, thirty, and thirty-three thereof.

Bill read second time, and ordered to engrossment and third reading.

Assembly Bill No. 2—An act to amend sections three, six, and nine of an act entitled "An act to provide for the indication by the registered qualified electors of their choice for nomination by their respective political parties for President of the United States through the election of the delegates of said political parties to their respective national conventions, and to repeal an act approved December 24, 1911, known as the Presidential Primary Act, and also to repeal all other acts or parts inconsistent with or in conflict with the provisions of this act," approved April 28, 1915, and to add a new section to said act, calling and providing for a presidential primary election to be held on the second day of May, 1916, said new section to be known and designated as section thirteen.

Bill read second time, and ordered to engrossment and third reading.

## ANNOUNCEMENT.

The following announcement was made:  
By Mr. Speaker:

*To the members of the Assembly, State of California:*

I beg leave to announce pursuant to section 247 of the Political Code, and on the recommendation of the Committee on Attaches, I hereby appoint the following named page at the per diem provided by law, to date from and include Thursday, January 6, 1916.

John Hayes.

## COMMUNICATION.

The Chief Clerk filed the following communication:

ASSEMBLY CHAMBER, SACRAMENTO, January 6, 1916.

MR. SPEAKER: Pursuant to your instructions, the following named persons have filed their credentials and are duly recognized as the representatives of the newspapers set opposite their respective names:

Oakland Enquirer	George Daniels
Los Angeles Tribune	Leslie Davies
Los Angeles Times	S. Fred Hogue
Sacramento Bee—J. E. Langdon, H. R. McLaughlin, Carlos McClatchy,	
John L. Davis, Robert E. Jones, A. V. Buell, and Harold Thompson	
Sacramento Union	George Collins, H. C. Jackson, Neil McCall
Sacramento Star	Irving Engler
San Francisco Bulletin	Frank R. Havener
San Francisco Chronicle	F. R. Hinkle
San Francisco Examiner	Al Murphy, Phil Kinsley, Tom Brown
United Press	Irving Engler, James Walsh

## ADJOURNMENT.

At six o'clock and fifteen minutes p.m., on motion of Mr. McDonald, Walter A., the Speaker declared the Assembly adjourned until nine o'clock and thirty minutes a.m. of Friday, January 7, 1916.

## IN ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, CAL.,  
Friday, January 7, 1916.

At nine o'clock and thirty minutes a.m., pursuant to adjournment, the Assembly was called to order.

Hon. C. C. Young, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk L. B. Mallory, and the following members answered to their names:

Messrs. Anderson, Arnerich, Ashley, Avey, Bartlett, Beck, Benton, Boude, Boyce, Brown, Henry Ward; Browne, M. B., Bruck, Burke, Byrnes, Canepa, Cary, Chamberlin, Chenoweth, Collins, Conard, Dennett, Downing, Edwards, Lawrence; Edwards, R. G., Euell, Ferguson, Fish, Gebhart, Gelder, Godsil, Harris, Lawson, Hayes, D. R., Hayes, J. J., Johnson, Judson, Kennedy, Kerr, Kramer, Long, Lostutter, Lyon, Manning, Marron, McCray, McDonald, J. J., McDonald, W. A., McKnight, McPherson, Meek, Mouser, Pettis, Phelps, Phillips, Prendergast, Quinn, Ream, Rigdon, Rodgers, Rominger, Ryan, Salisbury, Satterwhite, Schmitt, Scott, C. E., Scott, F. C., Sharkey, Shartel, Sisson, Spengler, Tabler, Widenmann, Wills, Wishard, Wright, H. W., Wright, T. M., and Mr. Speaker—77.

Quorum present.

## PRAYER.

Prayer was offered by the Rev. James Whittaker, Chaplain of the Assembly.

## READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Mouser its further reading was dispensed with.

## REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

## COMMITTEE ON ELECTIONS.

ASSEMBLY CHAMBER, SACRAMENTO, January 7, 1916.

MR. SPEAKER: Your Committee on Elections, to which was referred Assembly Bill No. 3—An act to amend sections fifteen, sixteen and seventeen of an act entitled "An act to provide for and regulate primary elections, and providing a method for choosing the delegates for political parties to state conventions, and for nominating electors of President and Vice-President of the United States, and providing for the election of party county central committees, and to repeal the act approved April 7, 1911, known as the Direct Primary Law, and also to repeal the act approved December 24, 1911, amending sections one, three, five, seven, ten, twelve, thirteen, twenty-two, twenty-three and twenty-four of the said Direct Primary Law, and also to repeal all other acts or parts of acts inconsistent with or in conflict with the provisions thereof," approved June 16, 1913, all relating to conducting, voting at and the right to vote at primary elections, and to repeal all other acts or parts of acts inconsistent with, or in conflict with the provisions of this act—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do not pass as amended.

RYAN, Chairman.

The above reported bill ordered on file for second reading.

Also:

SACRAMENTO, January 7, 1916.

MR. SPEAKER: Your Committee on Elections, to which was referred Assembly Bill No. 7—An act to amend section ten hundred ninety-six of the Political Code, relating to elections and the registration of voters—has had the same under consideration, and respectfully reports the same back and recommends that it do not pass.

RYAN, Chairman.

The above reported bill ordered on file for second reading.

The Speaker commenced a statement as to the course he should pursue as to the admissibility to second reading of the bills included in the report of the committee on elections.

## POINT OF ORDER.

Mr. Brown, Henry Ward, rose to the following point of order: "That the Speaker should not discuss from the chair the merits of any question and that inasmuch as the bills in question had been introduced and no objection made, that they were now the property of the house."

## POINT OF ORDER NOT WELL TAKEN.

The Speaker ruled the point of order not well taken.

Mr. Brown appealed from the decision of the Speaker.

Mr. Schmitt seconded the appeal.

Pending the vote upon the appeal the Speaker made the following statement:

The Speaker asked leave to complete his statement, saying that he was on the point of calling for the second reading of these two bills; that when they were first introduced he had not ruled them out of order as unconstitutional under the Governor's call for the extraordinary session, for the reason that he did not then know what they contained;

that it was not his purpose to rule them out of order on the second reading for the same reason; but that he would order them to second reading without prejudice to any ruling he might be obliged to make on third reading, should he find on investigation that the bills might not properly and constitutionally come before the Assembly.

#### APPEAL WITHDRAWN.

Thereupon Mr. Brown, Henry Ward, asked the consent of the house to withdraw his motion inasmuch as he had not fully understood the Speaker's intention in the beginning of his statement.

#### SECOND READING FILE.

Assembly Bill No. 3—An act to amend sections fifteen, sixteen and seventeen of an act entitled "An act to provide for and regulate primary elections, and providing a method for choosing the delegates for political parties to state conventions, and for nominating electors of President and Vice President of the United States, and providing for the election of party county central committees, and to repeal the act approved April 7, 1911, known as the Direct Primary Law, and also to repeal the act approved December 24, 1911, amending sections one, three, five, seven, ten, twelve, thirteen, twenty-two, twenty-three and twenty-four, of the said Direct Primary Law, and also to repeal all other acts or parts of acts inconsistent with or in conflict with the provisions thereof," approved June 16, 1913, all relating to conducting, voting at and the right to vote at primary elections, and to repeal all other acts or parts of acts inconsistent with, or in conflict with the provisions of this act.

#### COMMITTEE AMENDMENTS.

During second reading of bill, the following amendments were submitted by the committee:

##### AMENDMENT NUMBER ONE.

Strike out the word "fifteen" in line 2 of the title of the printed bill.

##### AMENDMENT NUMBER TWO.

Strike out the word "fifteen" in line 1, page 1 of the printed bill.

##### AMENDMENT NUMBER THREE.

Strike out all of lines 13 to 37, inclusive, of page 2, and lines 1 to 28, inclusive, page 3 of the printed bill.

##### AMENDMENT NUMBER FOUR.

On page 4, line 3, of the printed bill following the period after the figure seventeen, add the following:

"At the time of registering and of transferring registration, in all places where the primary election law is in force, each elector shall declare the name of the political party with which he intends to affiliate at the ensuing primary election or elections, and the name of such political party shall be stated in the affidavit of registration and the index thereto. If the elector declines to state the fact, the fact of such declination shall likewise be stated and no person shall be entitled to vote at any primary election (by virtue of such registration) unless he has stated the name of the political party with which he intends to affiliate at the time of such registration. Nor shall he be permitted to vote on behalf of any other than the party so designated in the registration.

In case any elector shall have declined to designate, or shall have changed his political affiliation prior to the close of registration for primary elections, he is entitled to have such changes recorded prior to the close of said registration, upon

application to the county clerk or registrar of voters. In case any elector shall have declined to designate, or shall have changed his political affiliations prior to the close of registration, he may appear in person before the county clerk or registrar of voters at the office of the county clerk or registrar of voters, and not elsewhere, and make affidavit substantially in the following form:

STATE OF CALIFORNIA.

County of \_\_\_\_\_ } ss.

----- being duly sworn, deposes and says that he is registered on the great register of the said county of ----- as a ----- (insert former party affiliation or that he had declined to designate his party affiliation) : that since the date of such registration he has changed his political views and in good faith declares his affiliation with the ----- party.

Subscribed and sworn to before me, this ----- day of -----, 1916.

The county clerk or registrar of voters shall take such affidavit without charge, and shall file the same."

#### AMENDMENT NUMBER FIVE.

On page 4, line 5 of the printed bill, after the word "by" add the following: "section 1096 of the Political Code and".

Amendments adopted.

Bill read second time, and ordered to reprint, engrossment, and third reading.

Assembly Bill No. 7—An act to amend section ten hundred ninety-six of the Political Code, relating to elections and the registration of voters.

Bill read second time, and ordered to engrossment and third reading.

#### REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

##### ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, January 7, 1916.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1—An Act to amend an act entitled "An act to provide for and regulate primary elections, and providing a method for choosing the delegates for political parties to State conventions and for nominating electors of President and Vice President of the United States, and providing for the election of party county central committees, and to repeal the act approved April 7, 1911, known as the Direct Primary Law, and also to repeal the act approved December 24, 1911, amending sections one, three, five, seven, ten, twelve, thirteen, twenty-two, twenty-three, and twenty-four of the said Direct Primary Law, and also to repeal all other acts or parts of acts inconsistent with or in conflict with the provisions of this act"; approved June 16, 1913, by amending sections one, two, four, five, seven, nine, ten, twelve, thirteen, sixteen, seventeen, nineteen, twenty-one, twenty-two, twenty-three, twenty-four, twenty-five, twenty-eight, thirty, and thirty-three thereof:

Also: Assembly Bill No. 2—An act to amend sections three, six, and nine of an act entitled "An act to provide for the indication by the registered qualified electors of their choice for nomination by their respective political parties for President of the United States through the election of the delegates of said political parties to their respective national conventions, and to repeal an act approved December 24, 1911, known as the Presidential Primary Act, and also to repeal all other acts or parts inconsistent with or in conflict with the provisions of this act," approved April 28, 1915, and to add a new section to said act, calling and providing for a presidential primary election to be held on the second day of May, 1916, said new section to be known and designated as section thirteen;

And reports the same correctly engrossed.

PHELPS, Chairman.

#### INTRODUCTION AND REFERENCE OF RESOLUTION.

The following resolution was introduced and referred as indicated:

By Mr. Johnson: Assembly Concurrent Resolution No. 2.—Relative to inviting justices of the Supreme Court and of the District Courts of

Appeal, judges of the Superior Courts, California Bar Association and the various county bar associations to submit to the Legislature suggestions as to changes that may be necessary to prevent delays incident to litigation in this State.

Read, and considered without reference to committee.

#### SPECIAL ORDER SET.

On motion of Mr. Johnson the consideration of Assembly Concurrent Resolution No. 2 was made a special order for Saturday, January 8, 1916; under heading Special Orders.

#### INTRODUCTION AND REFERENCE OF RESOLUTIONS—(RESUMED).

The following resolutions were introduced and referred as indicated:  
By Mr. Ryan: Assembly Concurrent Resolution No. 3—Relative to the commission for relief in Belgium.

Read, and referred to Committee on Rules.

By Mr. Widenmann: Assembly Joint Resolution No. 1—Relative to a petition to the Secretary of the Navy to assign the name "California" to battleship No. 44, to be constructed at Mare Island Navy Yard.

Read, and considered without reference to Committee.

#### CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NUMBER ONE.

Assembly Joint Resolution No. 1—Relative to a petition to the Secretary of the Navy to assign the name "California" to battleship No. 44, to be constructed at Mare Island Navy Yard.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Assembly Joint Resolution No. 1 adopted by the following vote:

**AYES**—Messrs. Anderson, Arnerich, Ashley, Avey, Bartlett, Beck, Benton, Boude, Boyce, Brown, Henry Ward; Browne, M. B., Bruck, Burke, Byrnes, Canepa, Chamberlin, Chenoweth, Collins, Conard, Dennett, Edwards, R. G., Encell, Ferguson, Fish, Gebhart, Gelder, Godsil, Hawson, Hayes, D. R., Hayes, J. J., Judson, Kennedy, Kerr, Kramer, Long, Lostutter, Lyon, Manning, Marron, McCray, McDonald, J. J., McDonald, W. A., McKnight, McPherson, Meek, Monser, Pettis, Phelps, Phillips, Prendergast, Quinn, Ream, Rigdon, Rodgers, Rominger, Ryan, Salisbury, Satterwhite, Schmitt, Scott, C. E., Sharkey, Shartel, Sisson, Tabler, Widenmann, Wills, Wright, H. W., Wright, T. M., and Mr. Speaker—69.

**NOES**—None.

Title read and approved.

Assembly Joint Resolution No. 1 ordered transmitted to the Senate.

#### ASSEMBLY JOINT RESOLUTION NUMBER ONE.

WHEREAS, The Honorable Secretary of the Navy has, in recognition of the industry, zeal, efficiency and skill of the officials and mechanics of the Mare Island Navy Yard, comprising in the several ranks, citizens of all sections of California, and of the splendid record made by such citizens in saving large sums of money for the Federal government in the construction of vessels for the United States Navy, thus showing the highest degree of civic patriotism, by assigning to that navy yard the construction of battleship No. 44, which is designed to be the equal of any war vessel afloat and which will, when completed, carry the American flag with honor to every section of the world and in so doing serve as an exemplar of the skill and fidelity of the workmen who will have contributed to her construction, be it

*Resolved by the Assembly and the Senate Jointly*, That the Honorable Secretary of the Navy be respectfully petitioned to change the name of battleship No. 40, now building at the New York Naval Station and designated as "California," to

some other appropriate name, that the name "California" may be assigned to battleship No. 44 which is to be constructed in this State, by the workmen of this State, and will ever prove a source of inspiration to the patriotism and pride of the people of California, by giving them a more direct interest in our navy, which constitutes the first line of the national defense; be it further

*Resolved*, That the thanks of the people of California be extended to the Honorable Secretary of the Navy for the action showing his confidence in the capability of California workmen.

The Chief Clerk is directed to transmit copies of this joint resolution to the Honorable Secretary of the Navy.

#### ASSISTANT CLERK WENDERING READING.

#### SENATE MESSAGE.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, January 7, 1916.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Senate Concurrent Resolution No. 3—Relative to the commission for relief in Belgium.

EDWIN F. SMITH, Secretary of Senate.  
By J. W. KAVANAGH, Assistant Secretary.

Senate Concurrent Resolution No. 3 read, considered without reference to committee.

#### CONSIDERATION OF SENATE CONCURRENT RESOLUTION NUMBER THREE.

Senate Concurrent Resolution No. 3—Relative to the commission for relief in Belgium—on motion of Mr. Ryan, was adopted and ordered transmitted to the Senate.

#### SENATE CONCURRENT RESOLUTION NUMBER THREE.

Relative to the commission for relief in Belgium.

WHEREAS, The commission for relief in Belgium has been and now is engaged in furnishing clothing and food to the destitute inhabitants of Belgium by and with the approval and consent of the civil and military authorities of England and Germany; and

WHEREAS, The great humanitarian work of that commission is strictly neutral, and, at the request of President Woodrow Wilson, many prominent men of the United States have accepted membership on the committee to raise funds in the United States; now, therefore,

*Be it resolved by the Senate of the State of California, the Assembly concurring,* That the humanitarian efforts of the commission for relief in Belgium in sending succor and relief for the destitute people of Belgium be and the same are hereby endorsed by the Legislature of the State of California.

#### HON. HOWARD J. FISH IN THE CHAIR.

At eleven o'clock and forty minutes a.m., Hon. Howard J. Fish, Speaker pro tem. of the Assembly, in the chair.

#### SPECIAL THIRD-READING FILE.

Assembly Bill No. 1—An act to amend an act entitled "An act to provide for and regulate primary elections, and providing a method for choosing the delegates for political parties to state conventions and for nominating electors of President and Vice President of the United States, and providing for the election of party county central committees, and to repeal the act approved April 7, 1911, known as the Direct Primary Law, and also to repeal the act approved December 24, 1911, amending sections one, three, five, seven, ten, twelve, thirteen, twenty-two, twenty-three, and twenty-four of the said Direct Primary Law, and also to repeal all other acts or parts of acts inconsistent with or in conflict with the provisions of this act"; approved June 16, 1913,

by amending sections one, two, four, five, seven, nine, ten, twelve, thirteen, sixteen, seventeen, nineteen, twenty-one, twenty-two, twenty-three, twenty-four, twenty-five, twenty-eight, thirty, and thirty-three thereof.

During third reading of the bill, Mr. Hawson moved that the Speaker appoint a Select Committee of One to make the following amendment to the bill:

AMENDMENT.

In line 15 of the title of the printed bill, after the word "sections" strike out all of the remainder of said line.

In line 16 of the title of the printed bill, strike out the word "thirteen" and the comma following said word.

In line 16 of the title of the printed bill, after the word "sixteen" insert the word "and".

In line 16 of the title of the printed bill, after the word "seventeen" strike out the comma and the remainder of said line.

In lines 17 and 18 of the title of the printed bill, strike out all of said lines down to and including the word "thirty-three", in line 18.

On page 1 of the printed bill, strike out all of lines 1 and 2 and all of pages 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, and on page 20, all of lines 1 to 22, inclusive.

On page 20 of the printed bill beginning with line 23, strike out the remainder of said page, and all of pages 21, 22, 23, 24, 25, 26, 27 and 28, inclusive.

On page 29 of the printed bill, strike out all of lines 1 to 37, inclusive.

On page 30 of the printed bill, strike out lines 1 to 16, inclusive, and insert in lieu thereof the following:

"SEC. 1. Section sixteen of said act is hereby amended to read as follows:

"Sec. 16. Any elector offering to vote at a primary election may be challenged by any elector of the city, city and county or county, upon either or all of the grounds specified in section one thousand two hundred thirty of the Political Code, bnt his right to vote the primary election ticket of the political party designated in his affidavit of registration, as provided by this act, or his right to vote the nonpartisan primary ticket providing no such party is so designated, shall not be challenged on any ground or subjected to any tests other than those provided by the constitution and section one thousand two hundred thirty of the Political Code of this state."

On page 30 of the printed bill strike out lines 19 to 35, inclusive, and on page 31 strike out all of lines 1 to 26, inclusive, and insert in lieu thereof the following:

"SEC. 17. At the time of registering and of transferring registration, in all places where the primary election law is in force, each elector shall declare the name of the political party with which he intends to affiliate at the ensuing primary election or elections, and the name of such political party shall be stated in the affidavit of registration and the index thereto. If the elector declines to state the fact, the fact of snch declination shall likewise be stated and no person shall be entitled to vote at any primary election (by virtue of snch registration) unless he has stated the name of the political party with which he intends to affiliate at the time of such registration. Nor shall he be permitted to vote on behalf of any other than the party so designated in the registration. In case any elector shall have declined to designate, or shall have changed his political affiliation prior to the close of registration for primary elections, he is entitled to have such change recorded prior to the close of said registration, upon application to the county clerk or registrar of voters. In case any elector shall have declined to designate, or shall have changed his political affiliations prior to the close of registration, he may appear in person before the county clerk or registrar of voters at the office of the county clerk or registrar of voters, and not elsewhere, and make affidavit substantially in the following form:

STATE OF CALIFORNIA, { ss.  
County of \_\_\_\_\_ } as a

being duly sworn, deposes and says that he is registered on the great register of the said county of \_\_\_\_\_ as a \_\_\_\_\_ (insert former party affiliation or that he had declined to designate his party affiliation): that since the date of snch registration he has changed his political views and in good faith declares his affiliation with the party.

"Subscribed and sworn to before me, this \_\_\_\_\_ day of \_\_\_\_\_, 191\_\_\_\_\_

"The county clerk or registrar of voters shall take such affidavit without charge, and shall file the same."

Any elector qualified to take part in any primary election who has, at least thirty days before the day of such primary election, qualified by registration, as provided by section 1096 of the Political Code and this act, shall be entitled to vote at such primary election, such right to vote being subject to challenge only as hereinbefore provided; and shall, on writing his name or having it written for him on the roster, as provided by law for general elections in this State, receive the official primary election ballot of the political party designated in his affidavit of registration; or the nonpartisan ballot, providing no such party was so designated, and no other; *provided, however*, that no one shall be entitled to vote at any primary election who has not been a resident of the state one year, and of the county ninety days, preceding the day upon which such primary election is held. He shall be instructed by a member of the board as to the proper method of marking and folding his ballot, and he shall then retire to an unoccupied booth and without undue delay stamp the same with the rubber stamp there found. If he shall spoil or deface the ballot he shall at once return the same to the ballot clerk and receive another.

On page 31 of the printed bill strike out all of lines 27 to 37, inclusive, and also strike out pages 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, and 46.

#### POINT OF ORDER.

Mr. Young rose to the following point of order:

"That the amendment offered by Mr. Hawson is not admissible before this special session on the ground that it involves and includes a subject of legislation not specified in the proclamation of the Governor calling such special session."

#### POINT OF ORDER WELL TAKEN.

The Speaker pro tem. ruled the point of order well taken.

Mr. Hawson appealed from the decision of the Speaker pro tem.

Mr. Brown, Henry Ward, seconded appeal.

#### HOUR OF RECESS EXTENDED.

At twelve o'clock m., on motion of Mr. Young, the hour of recess was extended until one o'clock p.m.

The question is "Shall the decision of the Chair stand as the judgment of the Assembly?"

#### RECESS.

At one o'clock p.m. the Assembly was declared at recess until two o'clock p.m. of this day.

#### REASSEMBLED.

At two o'clock p.m. the Assembly reconvened.

Speaker pro tem. Hon. Howard J. Fish in the chair.

#### MOTION.

Mr. Schmitt moved that Mr. Hawson be given more time to finish his debate.

Motion carried.

The question is, "Shall the decision of the Chair stand as the judgment of the Assembly?"

Roll call regularly demanded.

The roll was called, and the decision of the Chair was sustained by the following vote:

AYES—Messrs. Anderson, Arnerich, Avey, Boude, Burke, Byrnes, Canepa, Collins, Dennett, Encell, Ferguson, Fish, Gelder, Gedsil, Harris, Hayes, J. J., Johnson, Judson, Kennedy, Kramer, Marron, McDouald, J. J., McDonald, W. A., McKnight,

McPherson, Meek, Mouser, Phelps, Prendergast, Rigdon, Ryan, Satterwhite, Scott, F. C., Sharkey, Shartel, Sisson, Tabler, Widenmann, Wills, Wishard, Wright, H. W., Wright, T. M., and Mr. Speaker—42.

NOES—Messrs. Ashley, Bartlett, Beck, Benton, Boyee, Brown, Henry Ward; Browne, M. B., Bruek, Cary, Chamberlin, Downing, Edwards, R. G., Hawson, Hayes, D. R., Kerr, Long, Lostutter, Lyon, Manning, McCray, Pettis, Phillips, Quinn, Ream, Rodgers, Rominger, Schmitt, Scott, C. E., and Spengler—30.

#### MOTION.

Mr. Hawson moved that his amendment to Assembly Bill No. 1 be ordered printed in the Journal.

Motion carried.

#### INTRODUCTION AND REFERENCE OF RESOLUTION—(OUT OF ORDER).

The following resolution was introduced and referred as indicated:

By Mr. Wright, H. W.: Assembly Joint Resolution No. 2—Relative to Federal aid for indigent persons afflicted with tuberculosis in state or other institutions, when such persons are nonresidents of the State in which such institutions are located.

Read, and referred to Committee on Federal Relations.

#### CONSIDERATION OF ASSEMBLY BILL NUMBER ONE—(RESUMED).

During third reading of the bill, Mr. Spengler moved that the Speaker appoint a Select Committee of One to amend the bill as follows:

#### AMENDMENT NUMBER ONE.

On page 17, line 27, strike out the word "everything" in section 5 after "7" in line 27, and insert in lieu thereof the following: "No filing fee shall be required of any candidate."

Roll call regularly demanded by Messrs. Bartlett, Spengler and Downing.

The roll was called, and the motion lost by the following vote:

AYES—Messrs. Beck, Benton, Browne, M. B., Bruek, Burke, Cary, Downing, Lostutter, Manning, Phillips and Spengler—11.

NOES—Messrs. Anderson, Arnerich, Avey, Bartlett, Boude, Brown, Henry Ward; Byrnes, Canepa, Chamberlin, Chenoweth, Collins, Edwards, Lawrence, Eneell, Fish, Gebhart, Gelder, Godsil, Hawson, Hayes, D. R., Hayes, J. J., Judson, Kramer, Long, Marron, McCray, McDonald, J. J., McDonald, Walter A., McKnight, Meek, Mouser, Phelps, Prendergast, Rigdon, Ryan, Satterwhite, Schmitt, Scott, Clas E., Scott, Fred C., Sharkey, Shartel, Sisson, Widenmann, Wills, Wishard, Wright, H. W., Wright, T. M., and Mr. Speaker—47.

#### REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

The following report of standing committee was received and read:

#### ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, January 7, 1916.

MR. SPEAKER: Your Committee on Engrossment and Enrollment have examined Assembly Bill No. 7—An Act to amend section ten hundred ninety-six of the Political Code, relating to elections and the registration of voters—and reports that the same has been correctly engrossed.

PHELPS, Chairman.

Also:

SACRAMENTO, January 7, 1916.

MR. SPEAKER: Your Committee on Engrossment and Enrollment have examined Assembly Concurrent Resolution No. 2—Relative to inviting justices of the Supreme Court and of the District Courts of Appeal, judges of the Superior Courts, California Bar Association and the various county bar associations to submit to the legislature suggestions as to changes that may be necessary to prevent delays incident to litigation in this State—and reports that the same is considered engrossed.

PHELPS, Chairman.

## SENATE MESSAGES—(OUT OF ORDER).

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, January 7, 1916.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Assembly Joint Resolution No. 1—Relative to a petition to the Honorable Secretary of the Navy to assign the name "California" to battleship No. 44, to be constructed at the Mare Island Navy Yard.

EDWIN F. SMITH, Secretary of Senate.  
J. W. KAVANAGH, Assistant Secretary.

Assembly Joint Resolution No. 1 ordered to enrollment.

Also:

SACRAMENTO, January 7, 1916.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as cases of urgency, Senate Bill No. 4—An act to authorize and empower the Board of Trustees of the San Francisco State Normal School to sell or exchange and convey the lands and buildings of said school; to acquire by purchase, gift, condemnation or otherwise a new site for said school and to erect thereon buildings suitable and appropriate therefor, or to remodel or reconstruct any building already erected on the site so purchased or acquired, and to purchase therefor necessary and appropriate furniture and equipment; to create a fund into which shall be paid the proceeds of the sale of the present school property and making an appropriation to carry out the purposes of this act;

Also: Senate Bill No. 3—An act authorizing the city and county of San Francisco to close and abandon certain public streets, or parts of public streets, in the city and county, and to transfer title thereto to the State of California;

Also: Senate Bill No. 5—An act to provide for the disposition of any money or other property accruing to or to be received by the State of California as its proportionate share of the returns from the holding of the Panama-Pacific International Exposition;

Also: Senate Bill No. 6—An act to amend section one of an act entitled "An act giving and granting to the Board of Park Commissioners of the city of San Diego the right to use and the right to authorize the use of Balboa Park in said city for exposition purposes," approved March 24, 1911, extending the terms of said section to the year 1916;

Also: Senate Bill No. 7—An act appropriating fifty thousand dollars for the completion, maintenance and repair of the California State Building at the Panama-California International Exposition.

EDWIN F. SMITH, Secretary of Senate.  
J. W. KAVANAGH, Assistant Secretary.

Senate Bill No. 4 read first time, and referred to Committee on Ways and Means and Normal Schools.

Senate Bill No. 3 read first time, and referred to Committee on Ways and Means and Normal Schools.

Senate Bill No. 5 read first time, and referred to Committee on Ways and Means and Normal Schools.

Senate Bill No. 6 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 7 read first time, and referred to Committee on Ways and Means.

## MOTION.

Mr. Hawson moved that when the Assembly adjourn, it adjourn to Friday, January 7, 1916, at eight o'clock p.m., provided that Assembly Bills Nos. 1 and 2 will be acted upon at that time.

Mr. Manning offered as an amendment that the time be to Saturday, January 8, 1916, at the hour of nine o'clock and thirty minutes a.m.

Motion as amended carried.

## SENATE MESSAGE.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, January 7, 1916.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Senate Concurrent Resolution No. 2—Relative to the celebration by the people of Marin County of the landing of Drake's armada on the shores of California.

EDWIN F. SMITH, Secretary of Senate.  
J. A. MILLER, Assistant Secretary.

Senate Concurrent Resolution No. 2 read, and considered without reference to committee.

## CONSIDERATION OF SENATE CONCURRENT RESOLUTION NUMBER TWO.

Senate Concurrent Resolution No. 2—Relative to the celebration by the people of Marin County of the landing of Drake's armada on the shores of California.

On motion of Mr. Manning, Senate Concurrent Resolution No. 2 was adopted and ordered transmitted to the Senate.

## SENATE CONCURRENT RESOLUTION NUMBER TWO.

Relative to the celebration by the people of Marin County of the landing of Drake's armada on the shores of California.

WHEREAS, The people of Marin County on May nineteenth, twentieth, and twenty-first of this year (which dates are provisional) will celebrate the landing of Drake's armada upon the shores of California; and

WHEREAS, The resources of the region and of the State of California will be brought to the attention of the world by a series of flower games and by pageantry, displaying the customs, habits and activities of the people who are working out their destinies within the confines of California; and

WHEREAS, The history of the State of California will be depicted by a series of tableaux enacted by the descendants of those who made the state and who are its foremost citizens; and

WHEREAS, This celebration will be international in its scope and participation; and

WHEREAS, The celebration will be a memorable episode in the educational, cultural and economic history of the State of California; therefore, be it

*Resolved by the Senate, the Assembly concurring.* That the Legislature of the State of California hereby endorse this celebration by the people of Marin County and hereby recommend it to the good will of the citizens of the State of California; and be it further

*Resolved.* That the Governor of the State of California be and is hereby authorized to proclaim this celebration to the citizens of the State of California; and be it further

*Resolved.* That the Governor of the State of California be and is hereby authorized to proclaim the celebration to the governments of the other states in the union and invite their participation; and be it further

*Resolved.* That the officials and officers of the various departments of the government of the State of California be and hereby are authorized and directed to give such aid, assistance and help to the people of Marin County in planning and organizing their celebration as may come within the scope of their respective departments; and be it further

*Resolved.* That the celebration by the people of Marin County known as the "Marin Flower Pageant" be and hereby is authorized by the Legislature and the Governor of the State of California.

Also:

SENATE CHAMBER, SACRAMENTO, January 6, 1916.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Senate Concurrent Resolution No. 1—Relative to adoption of joint rules.

EDWIN F. SMITH, Secretary of Senate.  
By J. W. KAVANAGH, Assistant Secretary.

Senate Concurrent Resolution No. 1 read, and considered without reference to committee.

## CONSIDERATION OF SENATE CONCURRENT RESOLUTION NUMBER ONE.

Senate Concurrent Resolution No. 1—Relative to adoption of joint rules.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Senate Concurrent Resolution No. 1 finally adopted by the following vote:

**AYES**—Messrs. Avey, Benton, Boude, Brown, Henry Ward; Burke, Byrnes, Canepa, Chenoweth, Downing, Edwards, Lawrence, Ferguson, Fish, Gebhart, Gelder, Godsil, Harris, Hawson, Hayes, J. J., Judson, Lyon, Manning, Marron, McDonald, J. J., McDonald, Walter A., McKnight, Pettis, Phelps, Prendergast, Rigdon, Rominger, Ryan, Satterwhite, Scott, Chas. E., Scott, Fred C., Sharret, Sisson, Spengler, Tabler, Wright, H. W., Wright, T. M., and Mr. Speaker—41.

**NOES**—None.

Title read and approved.

Senate Concurrent Resolution No. 1 ordered transmitted to the Senate.

## SENATE CONCURRENT RESOLUTION NUMBER ONE.

Relative to adoption of joint rules.

*Resolved by the Senate, the Assembly concurring,* That the joint rules of the Assembly and Senate of the legislature of the State of California adopted at the forty-first regular session be and they are hereby adopted as the joint rules of the assembly and senate of said legislature for this extraordinary session.

## ADJOURNMENT.

At six o'clock and five minutes p.m., on motion of Mr. McDonald, W. A., the Speaker pro tem, declared the Assembly adjourned until nine o'clock and thirty minutes a.m. Saturday, January 8, 1916.

## IN ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, CAL.,

Saturday, January 8, 1916.

At nine o'clock and thirty minutes a.m., pursuant to adjournment, the Assembly was called to order.

Hon. Howard J. Fish, Speaker pro tem. of the Assembly, in the chair.

The roll was called by Chief Clerk L. B. Mallory, and the following members answered to their names:

Messrs. Anderson, Arnerich, Ashley, Avey, Bartlett, Beck, Benton, Bonde, Boyce, Brown, Henry Ward; Browne, M. B., Burke, Cary, Chamberlin, Collins, Dennett, Downing, Edwards, L., Edwards, R. G., Encell, Ferguson, Fish, Gebhart, Gelder, Godsil, Harris, Hawson, Hayes, D. R., Hayes, J. J., Johnson, Judson, Kennedy, Kerr, Kramer, Long, Lostutter, Lyon, Manning, Marron, McGray, McDonald, J. J., McDonald, W. A., McKnight, Meek, Mouser, Pettis, Phelps, Phillips, Prendergast, Quinn, Ream, Rigdon, Rominger, Ryan, Salisbury, Satterwhite, Schmitt, Scott, C. E., Sharkey, Sharret, Sisson, Spengler, Tabler, Widenmann, Wills, Wishard, Wright, H. W., Wright, T. M., and Mr. Speaker—70.

Quorum present.

## LEAVE OF ABSENCE.

On motion of Mr. Kramer, Mr. Bruek was granted leave of absence for the day.

## PRAYER.

Prayer was offered by the Rev. James Whittaker, Chaplain of the Assembly.

## READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Ryan, its further reading was dispensed with.

## ASSISTANT CLERK WENDERING READING.

## REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

## ON FEDERAL RELATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, January 8, 1916.

MR. SPEAKER: Your Committee on Federal Relations to which was referred Assembly Joint Resolution No. 2—Relating to federal aid for indigent persons afflicted with tuberculosis in state or other institutions, when such persons are nonresidents of the state in which such institutions are located—has had the same under consideration, and respectfully reports the same back and recommends that it be adopted.

FERGUSON, Chairman.

## CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NUMBER TWO.

Assembly Joint Resolution No. 2—Relative to federal aid for indigent persons afflicted with tuberculous in state or other institutions, when such persons are nonresidents of the State in which such institutions are located.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Assembly Joint Resolution No. 2 adopted by the following vote:

AYES—Messrs. Anderson, Arnerich, Ashley, Avey, Bartlett, Beck, Benton, Bonde, Brown, Henry Ward; Burke, Byrnes, Collius, Conard, Downing, Edwards, L. Edwards, R. G., Encell, Ferguson, Fish, Gelder, Godsil, Hawson, Hayes, D. R., Johnson, Jndson, Kennedy, Kerr, Kramer, Long, Lostutter, Manning, Marron, McCray, McDonald, J. J., McDonald, W. A., McKnight, Mouser, Phelps, Phillips, Prendergast, Quinn, Ream, Rigidon, Rodgers, Rominger, Ryan, Salisbury, Satterwhite, Scott, C. E., Scott, F. C., Sharkey, Sharlet, Sisson, Speugler, Widenmann, Wills, Wishard, and Wright, H. W.—58.

NOES—Mr. Browne, M. B.—1.

Title read and approved.

Assembly Joint Resolution No. 2 ordered transmitted to the Senate.

## ASSEMBLY JOINT RESOLUTION NUMBER TWO.

Relative to federal aid for indigent persons afflicted with tuberculosis in state or other institutions, when such persons are non-residents of the state in which such institutions are located.

WHEREAS, The State of California has made such provision as its resources allow for the proper care in public institutions of patients afflicted with tuberculosis of the lungs; and

WHEREAS, Many thousands of patients afflicted with tuberculosis come to this state from other states, many of whom become a charge on state and municipal funds; and

WHEREAS, There has been introduced in congress a bill providing federal aid for indigent non-resident tuberculosis patients cared for in hospitals which conform to the hygienic standard established by the United States treasury department; now, therefore, be it

*Resolved by the Assembly and Senate of the State of California, jointly,* That we consider the proposed measure to be of the greatest importance to this state

and to the whole nation and express the hope that it may become law at the present session of congress; and be it further

*Resolved*, That our senators and representatives in congress be and they are hereby requested to use all honorable means to expedite and secure the passage of said bill; be it further

*Resolved*, That the chief clerk of the assembly be and he is hereby directed to transmit a certified copy of these resolutions to the president and speaker respectively of the senate and house of representatives and to each of our senators and representatives in congress.

#### REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

##### ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, January 8, 1916.

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Senate Bill No. 4—An act to authorize and empower the board of trustees of the San Francisco State Normal School to sell or exchange and convey the lands and buildings of said school; to acquire by purchase, gift, condemnation or otherwise a new site for said school and to erect thereon buildings suitable and appropriate therefor, or to remodel or reconstruct any building already erected on the site so purchased or acquired, and to purchase therefor necessary and appropriate furniture and equipment; to create a fund into which shall be paid the proceeds of the sale of the present school property and making an appropriation to carry out the purposes of this act;

Also: Senate Bill No. 3—An act authorizing the city and county of San Francisco to close and abandon certain public streets, or parts of public streets, in the city and county of San Francisco, and to transfer title thereto to the State of California;

Also: Senate Bill No. 5—An act to provide for the disposition of any money or other property accruing to or to be received by the State of California as its proportionate share of the returns from the holding of the Panama-Pacific International Exposition;

Also: Senate Bill No. 6—An act to amend section one of an act entitled "An act giving and granting to the board of park commissioners of the city of San Diego the right to use and the right to authorize the use of Balboa Park in said city for exposition purposes," approved March 24, 1911, extending the terms of said section to include the year 1916;

Also: Senate Bill No. 7—An act appropriating fifty thousand dollars for the completion, maintenance and repair of the California State Building at the Panama-California International Exposition;

Has had the same under consideration, and respectfully reports the same back and recommends that they do pass.

WRIGGITT, Chairman.

The above reported bills ordered on file for second reading. .

##### SECOND READING OF SENATE BILLS.

Senate Bill No. 4—An act to authorize and empower the board of trustees of the San Franeisco State Normal School to sell or exchange and convey the lands and buildlings of said school; to acquire by pnrhase, gift, condemnation or otherwise a new site for said school and to erect thereon buildings suitable and appropriate therefor, or to remodel or reconstruct any building already erected on the site so purchased or acquired, and to purchase therefor necessary and appropriate furnitire and eqnipment; to create a fund into which shall be paid the proceeds of the sale of the present school property and making an appropriation to carry out the purposes of this act.

Bill read second time.

Senate Bill No. 5—An act to provide for the disposition any money or other property aceruing to or to be received by the State of California as its proportionate share of the returns from the holding of the Panama-Pacific International Exposition.

Bill read second time.

Senate Bill No. 7—An act appropriating fifty thousand dollars for the completion, maintenance and repair of the California State Building at the Panama-California International Exposition.

Bill read second time.

Mr. Wright, H. W., moved that the Assembly resolve itself into the Committee of the Whole for the purpose of considering Senate Bills Nos. 4, 5, and 7.

Motion carried.

#### IN COMMITTEE OF THE WHOLE.

Speaker pro tem. Hon. Howard J. Fish in the chair.

Senate Bills Nos. 4, 5, and 7 considered.

Mr. Wright, H. W., moved that the committee do now rise and report in favor of the passage of the bills.

Motion carried.

#### IN ASSEMBLY.

Speaker pro tem. Hon. Howard J. Fish in the chair.

#### REPORT OF COMMITTEE OF THE WHOLE.

The following report of Committee of the Whole was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, January 8, 1916.

GENTLEMEN: The Committee of the Whole has had under consideration Senate Bills Nos. 4, 5, and 7, and do now report the same back, with recommendation that they do pass.

FISH, Chairman.

Senate Bills Nos. 4, 5, and 7 ordered on file for third reading.

Senate Bill No. 3—An act authorizing the city and county of San Francisco to close and abandon certain public streets, or parts of public streets, in the city and county of San Francisco, and to transfer title thereto to the State of California.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 6—An act to amend section one of an act entitled "An act giving and granting to the board of park commissioners of the city of San Diego the right to use and the right to authorize the use of Balboa Park in said city for exposition purposes," approved March 24, 1911, extending the terms of said section to include the year 1916.

Bill read second time, and ordered on file for third reading.

#### RESOLUTIONS.

The following resolution was offered.

By Mr. Shartel:

ASSEMBLY CHAMBER, SACRAMENTO, January 8, 1916.

*Resolved*, That there shall hereby be appropriated out of the contingent fund of the Assembly the sum of two hundred dollars (\$200.00), or so much thereof as may be needed, for the purpose of purchasing boxes, packing, marking and expressing all papers and documents belonging to the Assemblymen to their place of residence at the close of this extra session. The Sergeant-at-Arms for the Assembly shall cause this work to be done, and he shall file with the Controller of State vouchers covering the different items of expense, whereupon the Controller shall draw his warrant in favor of the Sergeant-at-Arms of the Assembly for the amount necessary and expended, and the Treasurer is directed to pay the same.

Resolution read, and referred to Committee on Contingent Expenses.

## REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

## ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, January 8, 1916.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 3—An act to amend sections sixteen and seventeen of an act entitled "An act to provide for and regulate primary elections, and providing a method for choosing the delegates for political parties to state conventions, and for nominating electors of President and Vice President of the United States, and providing for the election of party county central committees, and to repeal the act approved April 7, 1911, known as the Direct Primary Law, and also to repeal the act approved December 24, 1911, amending sections one, three, five, seven, ten, twelve, thirteen, twenty-two, twenty-three and twenty-four, of the said Direct Primary Law, and also to repeal all other acts or parts of acts inconsistent with or in conflict with the provisions thereof," approved June 16, 1913, all relating to conducting, voting at and the right to vote at primary elections, and to repeal all other acts or parts of acts inconsistent with, or in conflict with the provisions of this act—and reports that the same has been correctly engrossed.

PHELPS, Chairman.

## SPECIAL ORDER FILE.

## CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NUMBER TWO.

Assembly Concurrent Resolution No. 2—Relative to inviting justices of the Supreme Court and of the District Courts of Appeal, judges of the Superior Courts, California Bar Association and the various county bar associations to submit to the Legislature suggestions as to changes that may be necessary to prevent delays incident to litigation in this State.

Resolution read.

The question being on the adoption of the resolution.

On motion of Mr. Johnson, Assembly Concurrent Resolution No. 2 was adopted, and ordered transmitted to the Senate.

## ASSEMBLY CONCURRENT RESOLUTION NUMBER TWO.

Relative to inviting justices of the Supreme Court and of the District Courts of Appeal, judges of the Superior Courts, California Bar Association and the various county bar associations to submit to the legislature suggestions as to changes that may be necessary to prevent delays incident to litigation in this State.

WHEREAS, The practice of appealing to the district courts of appeal and to the supreme court of the State of California has increased so rapidly that an action appealed from the superior courts is not ordinarily determined for a period of at least two years after such appeal is taken from the superior court; and

WHEREAS, A litigant against whom a judgment has been obtained in the superior court, by taking an appeal to a higher court, without regard to the merits of the case, may unnecessarily and unreasonably delay, and in many instances actually defeat, the ends of justice; and

WHEREAS, Such delay and uncertainty as to the rights of litigants and prospective litigants is destructive both of individual rights and of that respect and obedience to the law which is the desideratum of good government; therefore, be it

*Resolved by the Assembly, the Senate concurring,* That the justices of the Supreme Court, the justices of the District Courts of Appeal, and the judges of the Superior Courts of the State of California, the California Bar Association, and the bar associations of the various counties be, and they hereby are, invited and requested to submit to the legislature at its forty-second session such recommendations as they may consider necessary in order to avoid as far as possible the dilatory practices and delays hereinbefore set forth; and be it further

*Resolved,* That the chief clerk of the Assembly be, and he is hereby directed to send a copy of this resolution to each of the justices and judges of the various courts hereinbefore referred to, to the secretary of the California Bar Association and to the secretary of every county bar association in this State.

## UNFINISHED BUSINESS.

## CONSIDERATION OF ASSEMBLY BILL NUMBER ONE—(RESUMED).

Assembly Bill No. 1—An act to amend an act entitled “An act to provide for and regulate primary elections, and providing a method for choosing the delegates for political parties to state conventions and for nominating electors of President and Vice President of the United States, and providing for the election of party county central committees, and to repeal the act approved April 7, 1911, known as the Direct Primary Law, and also to repeal the act approved December 24, 1911, amending sections one, three, five, seven, ten, twelve, thirteen, twenty-two, twenty-three, and twenty-four of the said Direct Primary Law, and also to repeal all other acts or parts of acts inconsistent with or in conflict with the provisions of this act”; approved June 16, 1913, by amending sections one, two, four, five, seven, nine, ten, twelve, thirteen, sixteen, seventeen, nineteen, twenty-one, twenty-two, twenty-three, twenty-four, twenty-five, twenty-eight, thirty, and thirty-three thereof.

## QUESTION OF PERSONAL PRIVILEGE.

Mr. Johnson rose to a question of personal privilege and addressed the Assembly as follows:

*Mr. Speaker and Gentlemen of the Assembly:*

During the two terms that I have been a member of this Assembly I have never found occasion, because of any grievance or injustice that may have been done me by any individual or by the press of this State, to rise and speak to a question of personal privilege.

I find, however, that because of the rumors and suggestions of compromise on the bill which is now before this Assembly, which rumors and suggestions of compromise first appeared openly in the Elections Committee meeting yesterday and also about the Capitol, that there is some necessity in the minds of my friends who have aligned themselves on either side of this proposition, to speak to a question of personal privilege and explain, so far as I know, from whence came those suggestions of a compromise, and in addressing myself to you this morning I do not wish it understood that I do so because of any injustice or supposed injustice that I consider has been done me, but rather because there appears to have been an injustice, and there is a misapprehension in the minds of my friends on both sides of this question regarding the matter.

To make the matter clear to you I wish to state at this time that, so far as I know, the suggestion of what has been termed a compromise on the bill at present before us came solely and entirely from me and from no other person, either a member of this Assembly or an official or individual in any way connected with the state administration. I wish to go even further and say that before this extraordinary session was convened I placed before the author of this bill and the Governor of this State, specifically and particularly, the very proposition which has been termed a compromise, and such suggestion was by them, if I may be permitted to use the term, turned down. I still hoped, nevertheless, and still believed that such a compromise was the proper and orderly and legal thing to do. I wish to assure you that I have no hesitancy in assuming the entire responsibility for any suggested compromise that may have been made, for I am not ashamed of such action. However, when the Elections Committee was, yesterday evening, advised by the Attorney General that any legislation, in the nature of what I had suggested as a compromise, if passed at this extraordinary session, would be unconstitutional and void and invalidate any and all law along this line which might be enacted at this session, I meekly bowed to the opinion of the Attorney General of this State.

In my mind the fact that I may believe the Attorney General to be mistaken in his interpretation of our rights does not alter the situation. The Attorney General is the official guide and legal adviser of this Assembly. We expect him to sustain in the courts the laws which we enact. I therefore consider that we owe him and his opinion some degree of respect, that we should not enact a law which he has specifically advised would not be constitutional and that it would be highly improper for us to pass and attempt to create a law when the Attorney General has furthermore advised that such an enactment at this time would invalidate and make void the rest of the legislation which we pass on this subject.

My opinion is that we should at this extraordinary session enact some legislation as far as we can do so legally to correct the confusion into which our election laws have been plunged.

However, without continuing further along this line, my only purpose at the present time is to make it clear to every one who may have been concerned in the suggestion of a so-called compromise that, so far as I know, no such suggestion came from any person, either a member of this body or otherwise, except myself.

I thank you.

#### CONSIDERATION OF ASSEMBLY BILL NUMBER ONE—(RESUMED).

##### TIME FOR DEBATE EXTENDED.

During the debate upon the question, Mr. Young was granted an extension of time in which to complete his debate.

##### TIME FOR DEBATE EXTENDED.

During the debate upon the question, Mr. Schmitt was granted an extension of time in which to complete his debate.

##### RECESS.

At twelve o'clock and thirty-five minutes p.m., the Assembly was declared at recess until one o'clock and thirty minutes p.m. of this day.

##### RECONVENED.

At one o'clock and thirty minutes p.m. the Assembly reconvened. Speaker pro tem., Hon. Howard J. Fish, in the chair.

#### CONSIDERATION OF ASSEMBLY BILL NUMBER ONE—(RESUMED).

Assembly Bill No. 1—An act to amend an act entitled "An act to provide for and regulate primary elections, and providing a method for choosing the delegates for political parties to state conventions and for nominating electors of President and Vice President of the United States, and providing for the election of party county central committees, and to repeal the act approved April 7, 1911, known as the Direct Primary Law, and also to repeal the act approved December 24, 1911, amending sections one, three, five, seven, ten, twelve, thirteen, twenty-two, twenty-three, and twenty-four of the said Direct Primary Law, and also to repeal all other acts or parts of acts inconsistent with or in conflict with the provisions of this act"; approved June 16, 1913, by amending sections one, two, four, five, seven, nine, ten, twelve, thirteen, sixteen, seventeen, nineteen, twenty-one, twenty-two, twenty-three, twenty-four, twenty-five, twenty-eight, thirty, and thirty-three thereof.

##### HON. HENRY W. WRIGHT IN THE CHAIR.

At three o'clock and twenty minutes p.m., Hon. Henry W. Wright, Assemblyman from the Sixty-ninth District, in the chair.

##### TIME FOR DEBATE EXTENDED.

During the debate upon the question, Mr. Bartlett was granted an extension of time in which to complete his debate.

##### SPEAKER PRO TEM. IN THE CHAIR.

At three o'clock and thirty-five minutes p.m., Hon. Howard J. Fish, Speaker pro tem. of the Assembly, in the chair.

## POINT OF ORDER.

During the discussion of Assembly Bill No. 1 by Mr. Satterwhite, Mr. Hawson called Mr. Satterwhite to order for "offensive words spoken in debate" and asked that the following words spoken by him be taken down:

"That I have witnessed in this Assembly and during this session, methods which are shifty, unscrupulous and hypocritical, and the same methods that I have witnessed as being used on the part of criminal crooks that I have prosecuted."

## POINT OF ORDER WELL TAKEN.

The Speaker pro tem. ruled the point of order well taken.

## MOTION.

On motion of Mr. Brown, Henry Ward, Mr. Satterwhite was permitted to proceed with his debate.

## MOTION.

Mr. Brown, Henry Ward, moved that the debate on Assembly Bill No. 1 be concluded at the hour of six o'clock and thirty-five minutes p.m., and that a vote on the passage of the bill be taken at that time.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1 passed by the following vote:

AYES—Messrs. Anderson, Avey, Boude, Byrnes, Canepa, Chenoweth, Collins, Conard, Dennett, Edwards, L., Encell, Ferguson, Fish, Gebhart, Gelder, Godsil, Harris, Hayes, J. J., Johnson, Judson, Kennedy, Kramer, Marron, McDonald, J. J., McDonald, W. A., McKnight, McPherson, Meek, Mouser, Phelps, Prendergast, Rigdon, Ryan, Salisbury, Satterwhite, Scott, F. C., Sharkey, Shartel, Sisson, Tabler, Widemann, Wills, Wishard, Wright, H. W., Wright, T. M., and Mr. Speaker—46.

NOS—Messrs. Arnerich, Ashley, Bartlett, Beck, Benton, Boyce, Brown, Henry Ward; Browne, M. B., Burke, Cary, Chamberlin, Downing, Edwards, R. G., Hawson, Hayes, D. R., Kerr, Long, Lostutter, Lyon, Manning, McCray, Pettis, Phillips, Quinn, Rodgers, Rominger, Schmitt, Scott, C. E., and Spengler—29.

Title read and approved, bill ordered transmitted to the Senate.

## EXPLANATION OF VOTE.

Mr. Boude asked for, and was granted, unanimous consent to have the following explanation of his vote on Assembly Bill No. 1, printed in the Journal:

It was my desire when the extraordinary session of 1916 was called that full opportunity would be given to amend the registration laws now in force so as to permit of a declaration of party affiliation at time of registration and also, if thought best, at the time of the party primaries. However, since the Attorney General has ruled that under the call for an extraordinary session by the Chief Executive the registration laws can not be amended at this time, I wish to go on record as stating that I believe that it is the desire of the people of our State as expressed at the polls last October to have the privilege of partisan registration at the time of registration and also make a partisan declaration at the primaries. Therefore I vote for this bill, believing that it is all that can be done at this session and in the belief that the registration laws should be more satisfactorily amended at the regular session of 1917.

## MOTION.

Mr. Hawson moved that when the Assembly adjourns this day it adjourn until Monday, January 10, 1916, at the hour of ten o'clock a.m. Motion lost.

## MOTION.

Mr. Brown, Henry Ward, moved that when the Assembly adjourns this day it adjourn until Sunday, January 9, 1916, at the hour of ten o'clock a.m.

Motion lost.

## CONSIDERATION OF ASSEMBLY BILL NUMBER TWO.

Assembly Bill No. 2—An act to amend sections three, six, and nine of an act entitled "An act to provide for the indication by the registered qualified electors of their choice for nomination by their respective political parties for President of the United States through the election of the delegates of said political parties to their respective national conventions, and to repeal an act approved December 24, 1911, known as the Presidential Primary Act, and also to repeal all other acts or parts inconsistent with or in conflict with the provisions of this act," approved April 28, 1915, and to add a new section to said act, calling and providing for a presidential primary election to be held on the second day of May, 1916, said new section to be known and designated as section thirteen.

During third reading of the bill, Mr. Brown, Henry Ward, moved that the Speaker appoint a Select Committee of One to amend the bill as follows:

## AMENDMENT NUMBER ONE.

On page 5, strike out lines 29, 30 and 31 and the following words in line 32: "Held, shall be used" and the period following the word "used", and insert in lieu thereof the following:

"SEC. 6. For the purposes of the May presidential primary election, the original affidavits of registration and indexes used in the last general election in any county or city and county in this State may be used, together with the original affidavits of registration since the last election, and supplemental indexes, showing all additional registrations, changes and corrections made since the registration for the last general election, completed to and including the thirty-first day prior to said May presidential primary election, which shall be the last day on which any person may register or transfer registration so as to entitle said person to vote at such primary."

Roll call regularly demanded.

The roll was called, and the motion lost by the following vote:

AYES—Messrs. Arnerich, Ashley, Bartlett, Beck, Benton, Boyce, Brown, Henry Ward; Browne, M. B., Burke, Cary, Chamberlin, Edwards, R. G., Hawson, Hayes, D. R., Long, Lostutter, Lyon, Manning, Pettis, Phillips, Quinn, Ream, Rodgers, Rominger, Schmitt, Scott, C. E.—26.

NOES—Messrs. Anderson, Avey, Boude, Byrnes, Canepa, Chenoweth, Collins, Conard, Dennett, Edwards, L., Encell, Ferguson, Fish, Gebhart, Gelder, Godsil, Harris, Hayes, J. J., Johnson, Judson, Kennedy, Kramer, Marron, McDonald, J. J., McDonald, W. A., McKnight, McPherson, Meek, Mouser, Phelps, Prendergast, Ryan, Salisbury, Satterwhite, Scott, F. C., Shartel, Sisson, Widenmann, Wills, Wishard, Wright, H. W., Wright, T. M., and Mr. Speaker—43.

During third reading of the bill, Mr. Schmitt moved that the Speaker appoint a Select Committee of One to amend the bill as follows:

## AMENDMENT NUMBER ONE.

On page 6, strike out lines 25 to 35, inclusive.

Roll call regularly demanded.

The roll was called, and the motion lost by the following vote:

AYES—Messrs. Arnerich, Ashley, Bartlett, Beck, Benton, Boyce, Brown, Henry Ward; Browne, M. B., Burke, Cary, Chamberlin, Edwards, R. G., Hawson, Hayes, D. R., Long, Lostutter, Lyon, Manning, McCray, Phillips, Quinn, Ream, Rigdon, Rodgers, Rominger, Schmitt, and Scott, C. E.—27.

NOES—Messrs. Anderson, Avey, Boude, Byrnes, Canepa, Chenoweth, Collins, Conard, Dennett, Edwards, L., Encell, Ferguson, Fish, Gebhart, Gelder, Godsil, Harris, Hayes, J. J., Johnson, Judson, Kennedy, Kramer, Marron, McDonald, J. J., McDonald, W. A., McKnight, McPherson, Meek, Mouser, Phelps, Prendergast, Ryan, Salisbury, Satterwhite, Scott, F. C., Shartel, Sisson, Tabler, Widenmann, Wills, Wishard, Wright, H. W., Wright, T. M., and Mr. Speaker—44.

## POINT OF ORDER.

Mr. Schmitt rose to the following point of order: “That according to section 1, article IV of the Constitution an extra roll call was necessary, requiring a two-thirds vote on section 5 of the bill.”

## POINT OF ORDER NOT WELL TAKEN.

The Speaker pro tem. ruled the point of order not well taken.

Mr. Schmitt appealed from the decision of the Speaker pro tem.

Mr. Hawson seconded appeal.

Roll call regularly demanded.

The question is, “Shall the decision of the Chair stand as the judgment of the Assembly?”

The roll was called, and the decision of the Chair was sustained by the following vote:

AYES—Messrs. Anderson, Avey, Boude, Byrnes, Canepa, Chenoweth, Collins, Conard, Dennett, Edwards, L., Encell, Ferguson, Gebhart, Gelder, Godsil, Harris, Hayes, J. J., Johnson, Judson, Kennedy, Kramer, Marron, McDonald, J. J., McDonald, W. A., McKnight, McPherson, Meek, Mouser, Phelps, Prendergast, Rigidon, Ryan, Salisbury, Satterwhite, Scott, F. C., Shartel, Sisson, Tabler, Widenmann, Wills, Wishard, Wright, H. W., Wright, T. M., and Mr. Speaker—44.

NOES—Messrs. Arnerich, Ashley, Bartlett, Beck, Benton, Brown, Henry Ward; Browne, M. B., Burke, Cary, Chamberlin, Edwards, R. G., Hawson, Hayes, D. R., Long, Lostutter, Lyon, Manning, McCray, Phillips, Quinn, Ream, Rodgers, Rominger, Schmitt, and Scott, C. E.—25.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2 passed by the following vote:

AYES—Messrs. Anderson, Avey, Boude, Byrnes, Canepa, Chenoweth, Collins, Conard, Dennett, Edwards, L., Encell, Ferguson, Fish, Gebhart, Gelder, Godsil, Harris, Hayes, J. J., Johnson, Judson, Kennedy, Kramer, Marron, McDonald, J. J., McDonald, W. A., McKnight, McPherson, Meek, Mouser, Phelps, Prendergast, Rigidon, Ryan, Salisbury, Satterwhite, Scott, F. C., Shartel, Sisson, Tabler, Widenmann, Wills, Wishard, Wright, H. W., Wright, T. M., and Mr. Speaker—45.

NOES—Messrs. Arnerich, Ashley, Bartlett, Beck, Benton, Brown, Henry Ward; Browne, M. B., Burke, Cary, Chamberlin, Edwards, R. G., Hawson, Hayes, D. R., Long, Lostutter, Lyon, Manning, McCray, Phillips, Quinn, Ream, Rodgers, Rominger, Schmitt, and Scott, C. E.—25.

Title read and approved.

Bill ordered transmitted to the Senate.

## SENATE MESSAGES—(OUT OF ORDER).

The following messages from the Senate were taken up and read:

## SENATE CHAMBER, SACRAMENTO, January 8, 1916.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Assembly Concurrent Resolution No. 2—Relative to inviting justices of the Supreme Court and of the District Courts of Appeal, judges of the Superior Courts, California Bar Association and the various county bar associations to submit to the legislature suggestions as to changes that may be necessary to prevent delays incident to litigation in this State.

EDWIN F. SMITH, Secretary of Senate.  
By J. A. MILLER, Assistant Secretary.

Assembly Concurrent Resolution No. 2 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, January 8, 1916.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Assembly Joint Resolution No. 2—Relating to federal aid for indigent persons afflicted with tuberculosis in state or other institutions, when such persons are nonresidents of the state in which such institutions are located.

EDWIN F. SMITH, Secretary of Senate.  
By J. A. MILLER, Assistant Secretary.

Assembly Joint Resolution No. 2 ordered to enrollment.

#### ADJOURNMENT.

At eight o'clock p.m., on motion of Mr. Gelder, the Speaker pro tem. declared the Assembly adjourned until eleven o'clock a.m., Monday, January 10, 1916.

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#### IN ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, CAL.,  
Monday, January 10, 1916.

At eleven o'clock a.m., pursuant to adjournment, the Assembly was called to order.

Hon. C. C. Young, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk L. B. Mallory, and the following members answered to their names:

Messrs. Anderson, Armerich, Ashley, Avery, Bartlett, Benton, Boude, Boyce, Brown, Henry Ward; Browne, M. B., Bruck, Burke, Byrnes, Canepa, Cary, Cheno-weth, Collins, Conard, Dennett, Downing, Edwards, Lawrence, Edwards, R. G., Encell, Ferguson, Fish, Gebhart, Gelder, Godsil, Harris, Hawson, Hayes, D. R., Hayes, J. J., Johnson, Judson, Kennedy, Kerr, Kramer, Long, Lostutter, Lyon, Manning, Marron, McCray, McDonald, J. J., McDonald, Walter A., McKnight, McPherson, Meek, Mouser, Pettis, Phelps, Phillips, Prendergast, Quinn, Ream, Rigdon, Rodgers, Rominger, Ryan, Salisbury, Satterwhite, Schmitt, Scott, Chas. E., Scott, Fred C., Sharkey, Shartel, Sisson, Spengler, Tabler, Widenmann, Wills, Wishard, Wright, H. W., Wright, T. M., and Mr. Speaker—75.

Quorum present.

#### LEAVES OF ABSENCE.

On motion of Mr. Benton, Mr. Chamberlin was granted leave of absence for the day.

On motion of Mr. Encell, Mr. Beek was granted leave of absence for the day.

#### PRAYER.

Prayer was offered by the Rev. James Whittaker, Chaplain of the Assembly.

#### READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Sharkey, its further reading was dispensed with.

#### APPROVAL OF JOURNALS.

Mr. Encell moved that the Journals of Wednesday, January 5, Thursday, January 6, Friday, January 7, and Saturday, January 8, 1916, be approved as corrected by the Minute Clerk.

## ASSISTANT CLERK WENDERING READING.

## SPECIAL THIRD READING FILE.

Assembly Bill No. 3—An act to amend sections fifteen, sixteen and seventeen of an act entitled “An act to provide for and regulate primary elections, and providing a method for choosing the delegates for political parties to state conventions, and for nominating electors of President and Vice President of the United States, and providing for the election of party county central committees, and to repeal the act approved April 7, 1911, known as the Direct Primary Law, and also to repeal the act approved December 24, 1911, amending sections one, three, five, seven, ten, twelve, thirteen, twenty-two, twenty-three and twenty-four, of the said Direct Primary Law, and also to repeal all other acts or parts of acts inconsistent with or in conflict with the provisions thereof,” approved June 16, 1913, all relating to conducting, voting at and the right to vote at primary elections, and to repeal all other acts or parts of acts inconsistent with, or in conflict with the provisions of this act.

## POINT OF ORDER.

Mr. Fish rose to the following point of order:

“That Assembly Bill No. 3 is not admissible before this special session on the ground that it involves and includes a subject of legislation not specified in the proclamation of the Governor calling such special session.”

## POINT OF ORDER WELL TAKEN.

The Speaker ruled the point of order well taken.

Mr. Bartlett appealed from the decision of the Speaker.

Mr. Schmitt seconded appeal.

The question is, “Shall the decision of the Chair stand as the judgment of the Assembly?”

Roll call regularly demanded.

The roll was called, and the decision of the Chair was sustained by the following vote:

AYES—Messrs. Anderson, Avey, Bonde, Byrnes, Canepa, Chenoweth, Collins, Conard, Dennett, Encell, Ferguson, Fish, Gebhart, Gelder, Godsil, Harris, Hayes, J. J., Johnson, Judson, Kennedy, McDonald, J. J., McDonald, W. A., McKnight, McPherson, Mouser, Phelps, Prendergast, Rigdon, Ryan, Satterwhite, Sharkey, Sisson, Widenmann, Wright, H. W., and Wright, T. M.—35.

NOES—Messrs. Arnerich, Bartlett, Benton, Boyce, Brown, Henry Ward; Browne, M. B., Bruck, Burke, Cary, Downing, Edwards, R. G., Hawson, Hayes, D. R., Keir, Kramer, Long, Lostutter, Lyon, Manning, McCray, Pettis, Phillips, Quinn, Ream, Rodgers, Rominger, Schmitt, Scott, C. E., Shartel, Spengler, and Wills—31.

Assembly Bill No. 7—An act to amend section ten hundred ninety-six of the Political Code, relating to elections and the registration of voters.

## POINT OF ORDER.

Mr. Fish rose to the following point of order:

“That Assembly Bill No. 7 is not admissible before this special session on the ground that it involves and includes a subject of legislation not specified in the proclamation of the Governor calling such special session.”

## POINT OF ORDER WELL TAKEN.

The Speaker ruled the point of order well taken.

Mr. Burke appealed from the decision of the Speaker.

Mr. Schmitt seconded appeal.

The question is, "Shall the decision of the Chair stand as the judgment of the Assembly?"

Roll call regularly demanded.

The roll call was called, and the decision of the Chair was sustained by the following vote:

AYES—Messrs. Anderson, Avey, Boude, Byrnes, Canepa, Chenoweth, Collins, Conard, Encell, Ferguson, Fish, Gebhart, Gelder, Godsil, Harris, Hayes, J. J., Johnson, Judson, Kennedy, Kramer, Marron, McDonald, J. J., McDonald, W. A., McKnight, McPherson, Mouser, Phelps, Prendergast, Rigdon, Ryan, Satterwhite, Sharkey, Shartel, Sisson, Tabler, Widenmann, Wills, Wishard, Wright, H. W., and Wright, T. M.—40.

NOES—Messrs. Arnerich, Bartlett, Benton, Boyce, Brown, Henry Ward; Browne, M. B., Bruck, Burke, Cary, Downing, Edwards, R. G., Hawson, Hayes, D. R., Kerr, Long, Lostutter, Lyon, Manning, McCray, Pettis, Phillips, Quinn, Ream, Rodgers, Rominger, Schmitt, Scott, C. E., and Spangler—28.

## RECESS.

At twelve o'clock and forty minutes p.m., the Assembly was declared at recess until two o'clock p.m. of this day.

## RECONVENED.

At two o'clock p.m. the Assembly reconvened.

Speaker Young in the chair.

## SPECIAL FILE SENATE BILLS—THIRD READING FILE.

Senate Bill No. 4—An act to authorize and empower the board of trustees of the San Francisco State Normal School to sell or exchange and convey the lands and buildings of said school; to acquire by purchase, gift, condemnation or otherwise a new site for said school and to erect thereon buildings suitable and appropriate therefor, or to remodel or reconstruct any building already erected on the site so purchased or acquired, and to purchase therefor necessary and appropriate furniture and equipment; to create a fund into which shall be paid the proceeds of the sale of the present school property and making an appropriation to carry out the purposes of this act.

HON. HOWARD J. FISH IN THE CHAIR.

At two o'clock and forty-five minutes p.m., Hon. Howard J. Fish, Speaker pro tem. of the Assembly, in the chair.

## SPEAKER IN THE CHAIR.

At three o'clock and five minutes p.m., Hon. C. C. Young, Speaker of the Assembly, in the chair.

## SPEAKER PRO TEM. IN THE CHAIR.

At five o'clock and twenty minutes p.m., Hon. Howard J. Fish, Speaker pro tem. of the Assembly, in the chair.

## SPEAKER IN THE CHAIR.

At five o'clock and twenty-five minutes p.m., Hon. C. C. Young, Speaker of the Assembly, in the chair.

Bill read third time.

The question being on the passage of the bill.

The roll was called and Senate Bill No. 4 finally passed by the following vote:

AYES—Messrs. Avey, Bartlett, Benton, Boude, Browne, M. B., Bruck, Burke, Byrnes, Canepa, Cary, Chenoweth, Collins, Conard, Edwards, L., Edwards, R. G., Encell, Ferguson, Fish, Gebhart, Godsil, Harris, Hawson, Hayes, Judson, Kennedy, Kerr, Kramer, Lyon, Manning, Marron, McDonald, J. J., McDonald, W. A., McKnight, Meek, Mouser, Pettis, Phelps, Phillips, Prendergast, Ream, Rigdon, Rodgers, Ryan, Salisbury, Satterwhite, Scott, F. C., Sharkey, Sisson, Widenmann, Wishard, Wright, H. W., and Mr. Speaker—52.

NOES—Messrs. Anderson, Arnerich, Brown, Henry Ward; Gelder, Hayes, D. R., Johnson, Long, Lostutter, McCray, McPherson, Quinn, Schmitt, Scott, C. E., Shartel, Spengler, Tabler, Wills, and Wright, T. M.—18.

Title read and approved, bill ordered transmitted to the Senate.

Senate Bill No. 3—An act authorizing the city and county of San Francisco to close and abandon certain public streets, or parts of public streets in the city and county and to transfer title thereto to the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called and Senate Bill No. 3 finally passed by the following vote:

AYES—Messrs. Avey, Bartlett, Benton, Boude, Brown, Henry Ward; Browne, M. B., Bruck, Burke, Byrnes, Canepa, Cary, Chenoweth, Collins, Conard, Edwards, L., Edwards, R. G., Encell, Ferguson, Fish, Gebhart, Godsil, Harris, Hawson, Hayes, J. J., Judson, Kennedy, Kerr, Kramer, Lostutter, Lyon, Manning, Marron, McDonald, J. J., McDonald, W. A., McKnight, McPherson, Meek, Mouser, Pettis, Phelps, Phillips, Prendergast, Quinn, Ream, Rigdon, Rodgers, Ryan, Salisbury, Satterwhite, Scott, F. C., Sharkey, Sisson, Widenmann, Wishard, Wright, H. W., and Mr. Speaker—56.

NOES—Messrs. Anderson, Arnerich, Gelder, Hayes, D. R., Johnson, Long, McCray, Schmitt, Scott, C. E., Shartel, Spengler, Wills, and Wright, T. M.—13.

Title read and approved, bill ordered transmitted to the Senate.

Senate Bill No. 5—An act to provide for the disposition of any money or other property accruing to or to be received by the State of California as its proportionate share of the returns from the holding of the Panama-Pacific International Exposition.

Bill read third time.

The question being on the passage of the bill.

The roll was called and Senate Bill No. 5 finally passed by the following vote:

AYES—Messrs. Avey, Bartlett, Benton, Boude, Browne, M. B., Burke, Byrnes, Canepa, Chenoweth, Collins, Conard, Edwards, L., Edwards, R. G., Encell, Ferguson, Fish, Gebhart, Godsil, Harris, Hawson, Hayes, J. J., Johnson, Judson, Kennedy, Kerr, Kramer, Lostutter, Lyon, Manning, Marron, McDonald, J. J., McDonald, W. A., McKnight, Meek, Mouser, Pettis, Phelps, Phillips, Prendergast, Ream, Rigdon, Rodgers, Ryan, Salisbury, Satterwhite, Scott, C. E., Scott, F. C., Sharkey, Sisson, Tahler, Widenmann, Wills, Wishard, Wright, H. W., and Mr. Speaker—55.

NOES—Messrs. Anderson, Arnerich, Brown, Henry Ward; Gelder, Hayes, D. R., Long, McCray, McPherson, Schmitt, Shartel, Spengler, and Wright, T. M.—12.

Title read and approved, bill ordered transmitted to the Senate.

## SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, January 10, 1916.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended and on this day passed as amended Assembly Bill No. 1—An act to amend an act entitled "An act to provide for and regulate primary elections, and providing a method for choosing the delegates for political parties to state conventions and for nominating electors of President and Vice President of the United States, and providing for the election of party county central committees, and to repeal the act approved April 7, 1911, known as the Direct Primary Law, and also to repeal the act approved December 24, 1911, amending sections one, three, five, seven, ten, twelve, thirteen, twenty-two, twenty-three, and twenty-four of the said Direct Primary Law, and also to repeal all other acts or parts of acts inconsistent with or in conflict with the provisions of this act"; approved June 16, 1913, by amending sections one, two, four, five, seven, nine, ten, twelve, thirteen, sixteen, seventeen, nineteen, twenty-one, twenty-two, twenty-three, twenty-four, twenty-five, twenty-eight, thirty, and thirty-three thereof—And respectfully requests your honorable body to concur in said amendments.

EDWIN F. SMITH, Secretary of Senate.  
By J. W. KAVANAGH, Assistant Secretary.

The question being put: "Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1?"

## AMENDMENT NUMBER ONE.

Strike out of page 21 of the printed bill all of line 14 following the period, all of lines 15 to 21, inclusive, and all of line 22, down to and including the period and insert in lieu thereof the following: "The names of the parties at the heads of the party columns shall be arranged in alphabetical order for the First Assembly District; and thereafter for each succeeding Assembly District, the party column appearing first in the last preceding Assembly District shall be placed last, the order of the other party columns remaining unchanged."

## AMENDMENT NUMBER TWO.

Strike out of page 32 of the printed bill the last word in line 16, all of line 17 and all of line 18, down to and including the word "eighty-two" and insert in lieu thereof the words "and one thousand two hundred sixty-eight".

## AMENDMENT NUMBER THREE.

On page 33 in line 17 of the printed bill insert before the semicolon the following "; provided, however, that in entering the statement of such result, the provisions of subdivision six of section one thousand two hundred eighty-two of the Political Code shall apply".

## AMENDMENT NUMBER FOUR.

On page 38, line 5 of the printed bill, after the word "vacancy" insert the words "in the membership of such convention".

## AMENDMENT NUMBER FIVE.

On page 38 of the printed bill insert before the word "vacancy" in line 6, the word "such".

## AMENDMENT NUMBER SIX.

On page 45 of the printed bill strike out of line 7 the word "forty-seven" and insert in lieu thereof the word "twenty-seven".

The roll was called, and Senate amendments to Assembly Bill No. 1 were concurred in by the following vote:

AYES—Messrs. Anderson, Avey, Bartlett, Benton, Boude, Browne, M. B., Burke, Byrnes, Canepa, Chenoweth, Collins, Conard, Edwards, L., Encell, Ferguson, Fish, Gebhart, Gelder, Godsil, Harris, Hawson, Hayes, J. J., Johnson, Jndson, Kennedy, Kerr, Kramer, Long, Lostutter, Lyon, Marron, McDonald, J. J., McDonald, W. A., McKnight, McPherson, Mouser, Pettis, Phelps, Prendergast, Quinn, Ream, Rigdon, Rodgers, Ryan, Salisbury, Satterwhite, Schmitt, Scott, C. E., Scott, F. C., Sharkey, Sharrel, Sisson, Widenmann, Wills, Wishard, Wright, H. W., Wright, T. M., and Mr. Speaker—58.

NOES—Messrs. Arnerich, Boyce, Brown, Henry Ward; Bruck, Manning, McCray, Meek, Phillips, and Spengler—9.

The above bill ordered to print, and enrollment.

## SENATE MESSAGES—(RESUMED).

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, January 10, 1916.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 2—An act to amend sections three, six, and nine of an act entitled "An act to provide for the indication by the registered qualified electors of their choice for nomination by their respective political parties for President of the United States through the election of the delegates of said political parties to their respective national conventions, and to repeal an act approved December 24, 1911, known as the Presidential Primary Act, and also to repeal all other acts or parts inconsistent with or in conflict with the provisions of this act," approved April 28, 1915, and to add a new section to said act, calling and providing for a presidential primary election to be held on the second day of May, 1916, said new section to be known and designated as section thirteen.

EDWIN F. SMITH, Secretary of Senate.  
By J. W. KAVANAGH, Assistant Secretary.

The above bill ordered to enrollment.

## THIRD READING FILE (RESUMED).

Senate Bill No. 6—An act to amend section one of an act entitled "An act giving and granting to the Board of Park Commissioners of the city of San Diego the right to use and the right to authorize the use of Balboa Park in said city for exposition purposes," approved March 24, 1911, extending the terms of said section to the year 1916.

Bill read third time.

The question being on the passage of the bill.

The roll was called and Senate Bill No. 6 finally passed by the following vote:

AYES—Messrs. Anderson, Arnerich, Avey, Bartlett, Benton, Boude, Boyce, Brown, Henry Ward; Browne, M. B., Bruck, Byrnes, Canepa, Cary, Chenoweth, Collins, Conard, Downing, Edwards, L., Encell, Ferguson, Fish, Gebhart, Gelder, Godsil, Harris, Hawson, Hayes, D. R., Hayes, J. J., Johnson, Judson, Kennedy, Kerr, Kramer, Lostutter, Lyon, Manning, Marron, McDonald, J. J., McDonald, W. A., McKnight, McPherson, Meek, Mouser, Phelps, Phillips, Prendergast, Quinn, Ream, Rigdon, Rodgers, Ryan, Salisbury, Satterwhite, Schmitt, Scott, C. E., Scott, F. C., Sharkey, Shartel, Sisson, Spengler, Widenmann, Wills, Wishard, Wright, H. W., Wright, T. M., and Mr. Speaker—67.

NOES—None.

Title read and approved, bill ordered transmitted to the Senate.

Senate Bill No. 7—An act appropriating fifty thousand dollars for the completion, maintenance and repair of the California State Building at the Panama-California International Exposition.

Bill read third time.

The question being on the passage of the bill.

The roll was called and Senate Bill No. 7 finally passed by the following vote:

AYES—Messrs. Anderson, Arnerich, Avey, Bartlett, Benton, Brown, Henry Ward; Browne, M. B., Bruck, Burke, Byrnes, Canepa, Chenoweth, Collins, Conard, Edwards, L., Encell, Ferguson, Fish, Gebhart, Gelder, Godsil, Harris, Hawson, Hayes, D. R., Hayes, J. J., Johnson, Judson, Kennedy, Kerr, Kramer, Lostutter, Lyon, Manning, Marron, McCray, McDonald, J. J., McDonald, W. A., McKnight, McPherson, Meek, Mouser, Phelps, Phillips, Prendergast, Quinn, Ream, Rodgers, Ryan, Satterwhite, Schmitt, Scott, C. E., Scott, F. C., Sharkey, Shartel, Sisson, Tabler, Wills, Wishard, Wright, H. W., and Mr. Speaker—60.

NOES—Messrs. Bonde, Boyce, and Spengler—3.

Title read and approved, bill ordered transmitted to the Senate.

## MOTION.

Mr. Gelder moved that when the Assembly adjourns this day it adjourn until Tuesday, January 11, 1916, at nine o'clock and thirty minutes a.m.

## INTRODUCTION AND REFERENCE OF ASSEMBLY JOINT RESOLUTIONS.

The following Joint Resolutions were introduced and referred as indicated:

By Mr. Avey: Assembly Joint Resolution No. 3—Relative to the construction and maintenance of national military highways.

Resolution read, and considered without reference to committee.

By Mr. Edwards, Lawrence: Assembly Joint Resolution No. 4—Relative to unemployment.

Resolution read, and considered without reference to committee.

## CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NUMBER THREE.

Assembly Joint Resolution No. 3—Relative to construction and maintenance of national military highways.

Resolution read.

Mr. Avey moved the adoption of the resolution.

The roll was called, and Assembly Joint Resolution No. 3 adopted by the following vote:

**AYES**—Messrs. Anderson, Arnerich, Avey, Bartlett, Benton, Bonde, Brown, Henry Ward; Browne, M. B., Brnck, Burke, Byrnes, Canepa, Chenoweth, Conard, Edwards, L., Edwards, R. G., Ferguson, Fish, Gebhart, Godsil, Hawson, Hayes, D. R., Hayes, J. J., Johnson, Judson, Kerr, Kramer, Lostutter, Lyon, Manning, Marron, McDonald, J. J., McDonald, W. A., McKnight, McPherson, Meek, Monsen, Pettis, Prendergast, Quinn, Ream, Rodgers, Ryan, Satterwhite, Scott, C. E., Scott, F. C., Sharkey, Shartel, Sisson, Tabler, Wills, Wright, H. W., Wrigut, T. M., and Mr. Speaker—54.

**NOES**—Messrs. Boyce, Gelder, Harris, Kennedy, and Phelps—5.

Title read and approved. Assembly Joint Resolution No. 3 ordered transmitted to the Senate.

## ASSEMBLY JOINT RESOLUTION NUMBER THREE.

Relative to the construction and maintenance of national military highways.

WHEREAS, There has been introduced in Congress by the Hon. William D. Stephens, of Los Angeles, a bill providing for the construction and maintenance of national military highways to be used in times of war for the mobilization of troops, and for the transportation of supplies and munitions; and

WHEREAS, The said bill contemplates the utilization of said highways for all highway purposes in times of peace, thus affording a great convenience and benefit to many sections, and all classes of citizens of the United States; and

WHEREAS, Said bill provides for the location of said highways across the northern and southern frontiers of our country and along the eastern and western coast lines, all laterals of which are to be connected with strategic points from the interior; and

WHEREAS, The skill and energy of the engineers and the personnel of our standing army can be used profitably to the end that our country and our state will be greatly benefited; and

WHEREAS, The automobile has become a great factor in modern means of transportation, as is evidenced by their use in the warring nations of Europe; and

WHEREAS, Preparedness can not be complete without the utilization of motor vehicles, and a national highway system commensurate with the exigencies of a great war problem; therefore be it

*Resolved*, That the Assembly and the Senate jointly, of the State of California, do most earnestly urge the Congress of the United States to adopt the said measure now pending before it; and be it further

*Resolved*, That a copy of these resolutions be sent to the Hon. Lindley M. Garrison, Secretary of War, the Hon. William D. Stephens, and to His Excellency, Woodrow Wilson, President of the United States, as well as to our representatives in the Senate and House of Representatives of the United States of America.

## CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NUMBER FOUR.

Assembly Joint Resolution No. 4—Relative to unemployment.  
Resolution read.

Mr. Edwards, Lawrence, moved the adoption of the resolution.

The roll was called, and Assembly Joint Resolution No. 4 adopted by the following vote:

**AYES**—Messrs. Anderson, Arnerich, Avey, Benton, Boude, Boyce, Brown, Henry Ward; Browne, M. B., Bruck, Burke, Byrnes, Canepa, Chenoweth, Collins, Conard, Downing, Edwards, L., Edwards, R. G., Ferguson, Fish, Gebhart, Gelder, Godsil, Harris, Hawson, Hayes, D. R., Hayes, J. J., Johnson, Judson, Kennedy, Kerr, Kramer, Lostutter, Lyon, Manning, Marron, McCray, McDonald, J. J., McDonald, W. A., McKnight, McPherson, Meek, Mouser, Phelps, Preudergast, Ream, Rigdon, Rodgers, Ryan, Satterwhite, Scott, F. C., Sharkey, Sisson, Spengler, Tabler, Wills, Wright, H. W., and Mr. Speaker—58.

**NOES**—None.

Title read and approved.

Assembly Joint Resolution No. 4 ordered transmitted to the Senate.

## ASSEMBLY JOINT RESOLUTION NUMBER FOUR.

Relative to unemployment.

WHEREAS, The United States Department of Labor has, during the past year, conducted an extensive system of labor exchanges, receiving eighty-eight thousand applications for work, fifty-seven thousand of which could not be filled; and

WHEREAS, The department, as a partial solution of the problem, has recommended in its third annual report that the public land tenure be so regulated as to insure to the settler the entire product of his labor through government retention of title, together with financial aid to such of the unemployed as may take up holdings on the public domain; now, therefore, be it

*Resolved*, by the Assembly and Senate of the State of California jointly, That we do hereby endorse the proposed plan as eminently practicable and as marking definite progress toward the solution of the unemployment problem; and be it further

*Resolved*, That the Chief Clerk of the Assembly be and he hereby is instructed to forward a copy of these resolutions to the United States Secretary of Labor.

## RESOLUTIONS.

The following resolutions were offered:

By Mr. Fish:

WHEREAS, The Chief Clerk is required to prepare a final calendar of the proceedings and history of bills; to have printed and chaptered the laws passed and to mail same to the members of the Assembly and also to sign and file with the Secretary of State the Journals after the close of the session, be it

*Resolved*, That the Controller be and he is hereby authorized and directed to draw his warrant for fifty dollars (\$50.00) in favor of L. B. Mallory, Chief Clerk of the Assembly; twenty-five dollars (\$25.00) upon the appropriation for payment of officers and employees, and twenty-five dollars (\$25.00) upon the Contingent Fund of the Assembly; the latter to pay for the mailing of the above and for postage, expressage, telephone, telegraphing, etc., during and incident to the session.

Resolution read, and referred to Committee on Contingent Expenses.

Also:

By Mr. Gelder:

WHEREAS, It will be necessary for V. G. Gelcich, Minute Clerk and J. O. Hestwood, Engrossing and Enrolling Clerk and Journal Clerk to remain after the close of the session to correct and sign the Journals; be it

*Resolved*, That the Controller be and he is hereby authorized and directed to draw his warrant upon the appropriation for the payment of officers and employees of the Assembly, in favor of the following named persons and the Treasurer is directed to pay the same:

Vincent G. Gelcich, Minute Clerk-----	\$9.00
J. O. Hestwood, Engrossing and Enrolling and Journal Clerk-----	7.00

Resolution read, and referred to Committee on Contingent Expenses.

Also:

By Mr. Hayes, D. R.:

WHEREAS, It is necessary to employ certain statutory legislative employees of the Superintendent of Capitol Building and Grounds during the special session of the Legislature to properly accommodate said body, and also to do certain necessary clean-up work of the legislative chamber and committee rooms after adjournment; and

WHEREAS, There is no statutory provision for the salaries of said legislative employees for an extraordinary session; now, therefore, be it

*Resolved*, That the State Controller be and he is hereby directed and authorized to draw his warrant upon the Contingent Fund of the Assembly in favor of George G. Radcliff, and the State Treasurer is hereby directed to pay the same, for the sum of one hundred and twenty dollars (\$120.00) said amount being in payment of said services.

Resolution read, and referred to Committee on Contingent Expenses.

Also:

By Mr. Wright, H. W.:

*Resolved*, That the Controller be and he is hereby authorized and directed to draw his warrant on the Contingent Fund of the Assembly, in the sum of seventy-seven dollars and sixty-two cents (\$77.62), in favor of L. B. Mallory, Chief Clerk, to pay the amounts as itemized below, and the State Treasurer is hereby directed to pay the same:

Cascade Towel Supply, 850 towels at 40c per 100-----	\$3.40
W. F. Purnell, 3 gavels and blocks-----	3.50
Underwood Typewriter Co., rent of 4 typewriters and stands-----	7.00
American Cash Store, 1 case matches-----	2.75
Sleeper Stamp Co., 3 stamps at 35c-----	1.05
Superintendent Capitol Bldg. and Grounds, stationery and supplies-----	55.92
Pacific Telephone and Telegraph Co., rent of 4 phones at \$1.00-----	4.00
	<hr/>
	\$77.62

Resolution read, and referred to Committee on Contingent Expenses.

#### REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

##### ON RULES.

ASSEMBLY CHAMBER, SACRAMENTO, January 10, 1916.

MR. SPEAKER: Your Committee on Rules, to which was referred Assembly Concurrent Resolution No. 1—Relative to celebration in Marin County of Drake's landing;

Also: Assembly Concurrent Resolution No. 3—Relative to the commission for relief to Belgium;

Has had the same under consideration, and respectfully reports the same back without recommendation.

ENCCELL, Chairman.

Also:

##### ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, January 10, 1916.

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No. 4—An act to provide for the disposition of any money or other property accruing to or to be received by the State of California as its proportionate share of the returns from the holding of the Panama-Pacific International Exposition;

Also: Assembly Bill No. 5—An act to authorize and empower the board of trustees of the San Francisco State Normal School to sell or exchange and convey the lands and buildings of said school; to acquire by purchase, gift, condemnation or otherwise a new site for said school and to erect thereon buildings suitable and appropriate therefor, or to remodel or reconstruct any building already erected on the site so purchased or acquired, and to purchase therefor necessary and appropriate furniture and equipment; to create a fund into which shall be paid the proceeds of the sale of the present school property and making an appropriation to carry out the purposes of this act;

Also: Assembly Bill No. 6—An act authorizing the city and county of San Francisco to close and abandon certain public streets, or parts of public streets, in the city and county and to transfer title thereto to the State of California;

Also: Assembly Bill No. 8—An act appropriating fifty thousand dollars for the completion, maintenance and repair of the California State Building at the Panama-California International Exposition;

Also: Assembly Bill No. 9—An act to amend section one of an act entitled "An act giving and granting to the Board of Park Commissioners of the city of San Diego the right to use and the right to authorize the use of Balboa Park in said city for exposition purposes," approved March 24, 1911, extending the terms of said section to the year 1916; Has had the same under consideration, and respectfully reports the same back without recommendation.

WRIGHT, Chairman.

#### ADJOURNMENT.

At six o'clock and fifteen minutes p.m., on motion of Mr. Fish, the Assembly was declared adjourned until nine o'clock and thirty minutes a.m. of Tuesday, January 11, 1916.

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#### IN ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, CAL.,  
Tuesday, January 11, 1916.

At nine o'clock and thirty minutes a.m., pursuant to adjournment, the Assembly was called to order.

Hon. C. C. Young, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk L. B. Mallory, and the following members answered to their names:

Messrs. Anderson, Aruerich, Ashley, Avey, Bartlett, Benton, Boude, Boyce, Brown, Henry Ward; Browne, M. B., Bruck, Burke, Byrnes, Canepa, Cary, Chenoweth, Collins, Conard, Downing, Edwards, R. G., Ferguson, Fish, Gebhart, Gelder, Godsil, Harris, Hawson, Hayes, D. R., Hayes, J. J., Johnson, Judson, Kennedy, Kerr, Kramer, Long, Lostutter, Lyon, Manning, Marron, McCray, McDouald, J. J., McDonald, Walter A., McKnight, Meek, Mouser, Pettis, Phelps, Phillips, Prendergast, Quinn, Ream, Rigdon, Rodgers, Ryan, Salisbury, Satterwhite, Schmitt, Scott, Chas. E., Scott, Fred C., Sharkey, Sharptel, Sisson, Speugler, Tabler, Wills, Wishard, Wright, H. W., and Mr. Speaker—68.

Quorum present.

#### LEAVES OF ABSENCE.

On motion of Mr. Benton, Mr. Chamberlin was granted leave of absence for the day.

On motion of Mr. Ferguson, Mr. Beek was granted leave of absence for the day.

On motion of Mr. Sharkey, Mr. Eneell and Mr. Widenmann were granted leave of absence for the day.

On motion of Mr. Gelder, Mr. McPherson was granted leave of absence for the day.

On motion of Mr. Hayes, D. R., Mr. Wright, T. M., was granted leave of absence for the day.

On motion of Mr. Benton, Mr. Dennett was granted leave of absence for the day.

On motion of Mr. Gebhart, Mr. Edwards, L., was granted leave of absnee for the day.

On motion of Mr. Lyon, Mr. Rominger was granted leave of absnee for the day.

PRAYER.

Prayer was offered by the Rev. James Whittaker, Chaplain of the Assembly.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Gelder, its further reading was dispensed with.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, January 10, 1916.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Assembly Joint Resolution No. 3—Relative to the construction and maintenance of national military highways;

Also: Assembly Joint Resolution No. 4—Relative to unemployment.

EDWIN F. SMITH, Secretary of Senate.  
By J. W. KAVANAGH, Assistant Secretary.

The above resolutions ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, January 11, 1916.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Senate Concurrent Resolution No. 4—Relative to adjournment *sine die*.

EDWIN F. SMITH, Secretary of Senate.  
By J. W. KAVANAGH, Assistant Secretary.

Resolution read, and considered without reference.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NUMBER FOUR.

Senate Concurrent Resolution No. 4—Relative to adjournment *sine die*.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Senate Concurrent Resolution No. 4 adopted by the following vote:

AYES—Messrs. Anderson, Ashley, Avey, Bartlett, Benton, Boude, Boyce, Browne, M. B., Bruck, Burke, Byrnes, Cary, Collins, Conard, Downing, Edwards, R. G., Ferguson, Gelder, Godsil, Harris, Hayes, D. R., Hayes, J. J., Johnson, Judson, Kennedy, Kerr, Kramer, Long, Lostutter, Lyon, Manning, Marron, McCray, McDonald, J. J., McDonald, W. A., McKnight, Meek, Pettis, Phelps, Prendergast, Quinn, Ream, Rigdon, Rodgers, Ryan, Schmitt, Scott, F. C., Sharkey, Shartel, Sisson, Spengler, Tabler, Wishard, Wright, H. W., and Mr. Speaker—55.

NOES—None.

Title read and approved.

Senate Concurrent Resolution No. 4 ordered transmitted to the Senate.

SENATE CONCURRENT RESOLUTION NUMBER FOUR.

Relative to adjournment *sine die*.

*Resolved by the Senate, the Assembly concurring,* That the forty-first (extra) session of the Legislature of the State of California adjourn *sine die* at twelve o'clock noon, Tuesday, January eleventh, nineteen hundred sixteen.

## REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

## ON CONTINGENT EXPENSES.

ASSEMBLY CHAMBER, SACRAMENTO, January 11, 1916.

**MR. SPEAKER:** Your Committee on Contingent Expenses, to which was referred the accompanying resolution:

WHEREAS, The Chief Clerk is required to prepare a final calendar of the proceedings and history of bills; to have printed and chaptered the laws passed and to mail same to the members of the Assembly and also to sign and file with the Secretary of State the Journals after the close of the session; be it

*Resolved*, That the Controller be and he is hereby authorized and directed to draw his warrant for fifty dollars (\$50.00) in favor of L. B. Mallory, Chief Clerk of the Assembly; twenty-five dollars (\$25.00) upon the appropriation for payment of officers and employees, and twenty-five dollars (\$25.00) upon the Contingent Fund of the Assembly; the latter to pay for the mailing of the above and for postage, expressage, telephone, telegraphing, etc., during and incident to the session; And the Treasurer is directed to pay the same.

Has had the same under consideration, and respectfully reports back and recommends that it be adopted.

RIGDON, Chairman.

Mr. Rigdon moved the adoption of the report and resolution.

The roll was called, and the report and resolution adopted by the following vote:

AYES—Messrs. Anderson, Asbley, Avey, Bartlett, Benton, Bonde, Brueck, Burke, Collins, Conard, Downing, Edwards, R. G., Ferguson, Gelder, Godsill, Harris, Hayes, D. R., Hayes, J. J., Johnson, Judson, Kennedy, Kerr, Kramer, Long, Lostutter, Lyon, Manning, McCray, McDonald, J. J., McDonald, W. A., McKnight, Meek, Mouser, Pettis, Phelps, Prendergast, Quinn, Ream, Rigdon, Rodgers, Ryan, Schmitt, Scott, C. E., Scott, F. C., Sharkey, Shartel, Sisson, Spengler, Wills, Wright, H. W., and Mr. Speaker—51.

NOES—Mr. Browne, M. B.—1.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, January 11, 1916.

**MR. SPEAKER:** Your Committee on Contingent Expenses, to which was referred the accompanying resolution:

WHEREAS, It will be necessary for V. G. Gelcich, Minute Clerk, and J. O. Hestwood, Engrossing and Enrolling Clerk and Journal Clerk, to remain after the close of the session to correct and sign the Journal; be it

*Resolved*, That the Controller be and he is hereby authorized and directed to draw his warrant upon the appropriation for the payment of officers and employees of the Assembly, in favor of the following named persons and the Treasurer is directed to pay the same:

Vincent G. Gelcich, Minute Clerk ----- \$9.00

J. O. Hestwood, Engrossing and Enrolling and Journal Clerk ----- 7.00

Has had the same under consideration, and respectfully reports back and recommends that it be adopted.

RIGDON, Chairman.

Mr. Rigdon moved the adoption of the report and resolution.

The roll was called, and the report and resolution adopted by the following vote:

AYES—Messrs. Anderson, Ashley, Avey, Bartlett, Benton, Bonde, Boyce, Browne, M. B., Brueck, Burke, Byrnes, Cary, Chenoweth, Conard, Edwards, R. G., Ferguson, Gelder, Godsill, Harris, Hayes, D. R., Hayes, J. J., Johnson, Judson, Kerr, Kramer, Long, Lostutter, Lyon, Manning, McCray, McDonald, J. J., McDonald, W. A., McKnight, Meek, Mouser, Pettis, Phelps, Prendergast, Ream, Rigdon, Rodgers, Ryan, Schmitt, Scott, C. E., Scott, F. C., Sharkey, Shartel, Spengler, Tabler, Wills, Wright, H. W., and Mr. Speaker—52.

NOES—None.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, January 11, 1916.

**MR. SPEAKER:** Your Committee on Contingent Expenses, to which was referred the accompanying resolution:

*Resolved*, That the Controller be, and he is hereby authorized and directed to draw his warrant on the Contingent Fund of the Assembly, in the sum of seventy-seven dollars and sixty-two cents (\$77.62), in favor of L. B. Mallory, Chief Clerk,

to pay the amounts as itemized below, and the State Treasurer is hereby directed to pay the same:

Cascade Towel Supply, 850 towels at 40 cents per 100-----	\$3.40
W. F. Purnell, 3 gavels and blocks-----	3.50
Underwood Typewriter Co., rent of 4 typewriters and stands-----	7.00
American Cash Store, 1 case matches-----	2.75
Sleeper Stamp Co., 3 stamps at 35 cents-----	1.05
Superintendent Capitol Building and Grounds, stationery and supplies	55.92
Pacific Telephone and Telegraph Co., rent of 4 phones at \$1.00-----	4.00
	\$77.62

Has had the same under consideration, and respectfully reports back and recommends that it be adopted.

RIGDON, Chairman.

Mr. Rigdon moved the adoption of the report and resolution.

The roll was called, and the report and resolution adopted by the following vote:

AYES—Messrs. Anderson, Arnerich, Avey, Bartlett, Benton, Boude, Boyce, Bruek, Byrnes, Cary, Chenoweth, Conard, Downing, Ferguson, Gehhart, Gelder, Godsil, Harris, Hayes, D. R., Hayes, J. J., Johnson, Judson, Kerr, Kramer, Long, Lostutter, Lyon, Marron, McCray, McDonald, J. J., McDonald, W. A., McKnight, Meek, Mouser, Pettis, Phelps, Prendergast, Quinn, Ream, Rigdon, Ryan, Satterwhite, Schmitt, Scott, Chas. E., Scott, Fred C., Sharkey, Shartel, Sisson, Spengler, Wills, Wright, H. W., and Mr. Speaker—53.

NOES—None.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, January 11, 1916.

MR. SPEAKER: Your Committee on Contingent Expenses, to which was referred the accompanying resolution:

WHEREAS, It is necessary to employ certain statutory legislative employees of the Superintendent of Capitol Building and Grounds during the special session of the Legislature to properly accommodate said body, and also to do certain necessary clean-up work of the legislative chamber and committee rooms after adjournment; and,

WHEREAS, There is no statutory provision for the salaries of said legislative employees for an extraordinary session; now, therefore, be it

Resolved, That the State Controller be and he is hereby directed and authorized to draw his warrant upon the Contingent Fund of the Assembly in favor of George G. Radcliff, and the State Treasurer is hereby directed to pay the same, for the sum of one hundred and twenty dollars (\$120.00) said amount being in payment of said services.

Has had the same under consideration, and respectfully reports back and recommends that it be adopted.

RIGDON, Chairman.

Mr. Rigdon moved the adoption of the report and resolution.

The roll was called, and the report and resolution adopted by the following vote:

AYES—Messrs. Anderson, Arnerich, Ashley, Avey, Bartlett, Benton, Boude, Boyce, Bruek, Burke, Byrnes, Cary, Chenoweth, Collins, Conard, Edwards, Lawrence, Ferguson, Gehhart, Gelder, Godsil, Harris, Hayes, D. R., Hayes, J. J., Johnson, Judson, Kennedy, Kerr, Kramer, Long, Lostutter, Lyon, Manning, Marron, McCray, McDonald, J. J., McDonald, W. A., McKnight, Meek, Mouser, Pettis, Phelps, Prendergast, Quinn, Ream, Rigdon, Rodgers, Ryan, Schmitt, Scott, C. E., Scott, F. C., Sharkey, Shartel, Sisson, Spengler, Tabler, Wills, Wright, H. W., Wright, T. M., and Mr. Speaker—58.

NOES—Mr. Browne, M. B.—4.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, January 11, 1916.

MR. SPEAKER: Your Committee on Contingent Expenses, to which was referred the accompanying resolution:

ASSEMBLY CHAMBER, SACRAMENTO, January 8, 1916.

Resolved, That there shall hereby be appropriated out of the contingent fund of the Assembly the sum of fifty dollars (\$50.00), or so much thereof as may be needed, for the purpose of purchasing boxes, packing, marking and expressing all papers and documents belonging to the Assemblymen to their place of residence at the close of this extra session. The Sergeant-at-Arms for the Assembly shall cause

this work to be done, and he shall file with the Controller of State vouchers covering the different items of expense, whereupon the Controller shall draw his warrant in favor of the Sergeant-at-Arms of the Assembly for the amount necessary and expended, and the Treasurer is directed to pay the same.  
Has had the same under consideration, and respectfully reports back and recommends that it be adopted, as amended.

RIGDON, Chairman.

Mr. Rigdon moved the adoption of the report and resolution.

The roll was called, and the report and resolution adopted by the following vote:

AYES—Messrs. Anderson, Arnerich, Ashley, Avey, Bartlett, Benton, Boude, Boyce, Bruck, Burke, Byrnes, Cary, Cheuweth, Collins, Conard, Edwards, R. G., Ferguson, Gebhart, Gelder, Godsil, Harris, Hayes, D. R., Hayes, J. J., Johnson, Judson, Kennedy, Kerr, Kramer, Long, Lostutter, Lyon, Manning, Marron, McCray, McDonald, J. J., McDonald, W. A., McKnight, Meek, Mouser, Pettis, Phelps, Prendergast, Quinn, Ream, Rigdon, Rodgers, Ryan, Schmitt, Scott, C. E., Scott, F. C., Sharkey, Shartel, Sisson, Spengler, Tabler, Wills, Wright, H. W., and Mr. Speaker—58.

NOES—Mr. Browne, M. B.—1.

#### RESOLUTION.

The following resolution was offered:

By Mr. Gelder:

*Resolved*. That L. B. Mallory, Chief Clerk of the Assembly, be and he is hereby authorized and empowered to receipt for warrants due officers, employees and members of the Assembly after the close of the session and to mail the same to the respective owners.

Resolution read, and on motion adopted.

#### RECESS.

At ten o'clock and thirty minutes a.m., the Assembly was declared at recess until eleven o'clock a.m. of this day.

#### REASSEMBLED.

At eleven o'clock a.m. the Assembly reconvened.

Speaker Young in the chair.

#### MESSAGE FROM THE GOVERNOR.

The following message from the Governor was taken up and read:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,  
January 11, 1916.

*To the Assembly of the State of California:*

There have been transmitted to me today as having been passed by both houses of the Legislature, Assembly Bill No. 1 and Assembly Bill No. 2, and I advise you prior to your adjournment that both of these bills have been duly signed and approved by me.

HIRAM W. JOHNSON,  
Governor of the State of California.

#### REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

##### ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, January 11, 1916.

MR. SPEAKER: Your Committee on Engrossment and Enrollment begs leave to report that Assembly Joint Resolution No. 3—Relative to the construction and maintenance of national military highways;

Also: Assembly Joint Resolution No. 4—Relative to unemployment;  
Have been correctly enrolled, and were presented to the Governor this eleventh day of January, at ten o'clock and thirty minutes a.m.

PHELPS, Chairman.

Also :

ASSEMBLY CHAMBER, SACRAMENTO, January 11, 1916.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bills have been correctly enrolled:

Assembly Bill No. 1—An act to amend an act entitled "An act to provide for and regulate primary elections, and providing a method for choosing the delegates for political parties to state conventions and for nominating electors of president and vice president of the United States, and providing for the election of party central committees, and to repeal the act approved April 7, 1911, known as the direct primary law, and also, to repeal the act approved December 24, 1911, amending sections one, three, five, seven, ten, twelve, thirteen, twenty-two, twenty-three, and twenty-four of the said direct primary law, and also to repeal all other acts or parts of acts inconsistent with or in conflict with the provisions of this act"; approved June 16, 1913, by amending sections one, two, four, five, seven, nine, ten, twelve, thirteen, sixteen, seventeen, nineteen, twenty-one, twenty-two, twenty-three, twenty-four, twenty-five, twenty-eight, thirty, and thirty-three thereof.

Also: Assembly Bill No. 2—An act to amend sections three, six, and nine of an act entitled "An act to provide for the indication by the registered qualified electors of their choice for nomination by their respective political parties for president of the United States through the election of the delegates of said political parties to their respective national conventions, and to repeal an act approved December 24, 1911, known as the presidential primary act, and also to repeal all other acts or parts inconsistent with or in conflict with the provisions of this act," approved April 28, 1915, and to add a new section to said act, calling and providing for a presidential primary election to be held on the second day of May, 1916, said new section to be known and designated as section thirteen.

Also: Assembly Joint Resolution No. 1—Relative to a petition to the secretary of the navy to assign the name "California" to battleship No. 44, to be constructed at Mare Island navy yard.

Also: Assembly Joint Resolution No. 2—Relating to federal aid for indigent persons afflicted with tuberculosis in state or other institutions, when such persons are non-residents of the state in which such institutions are located.

Also: Assembly Concurrent Resolution No. 2—Relative to inviting justices of the Supreme Court and of the District Courts of Appeal, judges of the Superior Courts, California Bar Association and the various county bar associations to submit to the Legislature suggestions as to changes that may be necessary to prevent delays incident to litigation in this State.

And were presented to the Governor this 11th day of January, at ten o'clock and thirty minutes a.m.

PHELPS, Chairman.

#### RESOLUTION.

The following resolution was offered:

By Mr. Ryan:

*Resolved*, That a select committee of three be appointed by the Speaker, to act with a like committee from the Senate, to wait upon the Governor and inform him that the two houses of the Legislature are now ready to adjourn, and in readiness to receive any further communication which he may have to make.

Resolution read, and, on motion, adopted.

#### APPOINTMENT OF SELECT COMMITTEE.

In accordance with the above resolution, the Speaker appointed Messrs. Ryan, Wright, H. W., and Judson as such committee.

#### RESOLUTION.

The following resolution was offered:

By Mr. Harris:

*Resolved*, That a committee of three be appointed by the Speaker to wait upon the Senate and inform that body that the Assembly is ready to adjourn, and ask if the Senate has any further communication to make to the Assembly.

Resolution read, and, on motion, adopted.

#### APPOINTMENT OF SELECT COMMITTEE.

In accordance with the above resolution, the Speaker appointed Messrs. Harris, Hawson, and Boude as such committee.

## COMMITTEE FROM THE SENATE.

Senators Strobridge, Rush and Stuekenbruck appeared before the bar of the Assembly and informed the Assembly that the Senate was ready to adjourn, and asked if the Assembly had any further message to convey to the Senate.

The Speaker replied that the Assembly had concluded its labors and was ready to adjourn, and had no further communication to make to the Senate.

## REPORT OF SELECT COMMITTEES.

The following reports of special committees were received:

Assemblymen Harris, Hawson, and Boude, the special committee appointed to notify the Senate that the Assembly was ready to adjourn, reported that they had notified the Senate, in accordance with their instructions, and that the Senate would shortly convey a message to the Assembly through their committee.

Also:

Assemblymen Ryan, Wright, H. W., and Judson, the special committee appointed to wait upon the Governor and inform him of the Assembly's readiness to adjourn *sine die*, reported that his Excellency had informed the committee that he had no further communication to transmit to the Assembly.

## APPROVAL OF JOURNALS.

Mr. Gebhart moved that the Journals of Monday, January 10, and Tuesday, January 11, 1916, be approved as corrected by the Minute Clerk.

## ADJOURNMENT.

At twelve o'clock m. of Tuesday, January 11, 1916, the Hon. C. C. Young, Speaker of the Assembly, announced that the time for final adjournment of the extraordinary session of the Legislature of the State of California had arrived, and thereupon declared the Assembly adjourned *sine die*.

C. C. YOUNG,

Speaker of the Assembly.

HOWARD W. FISH,

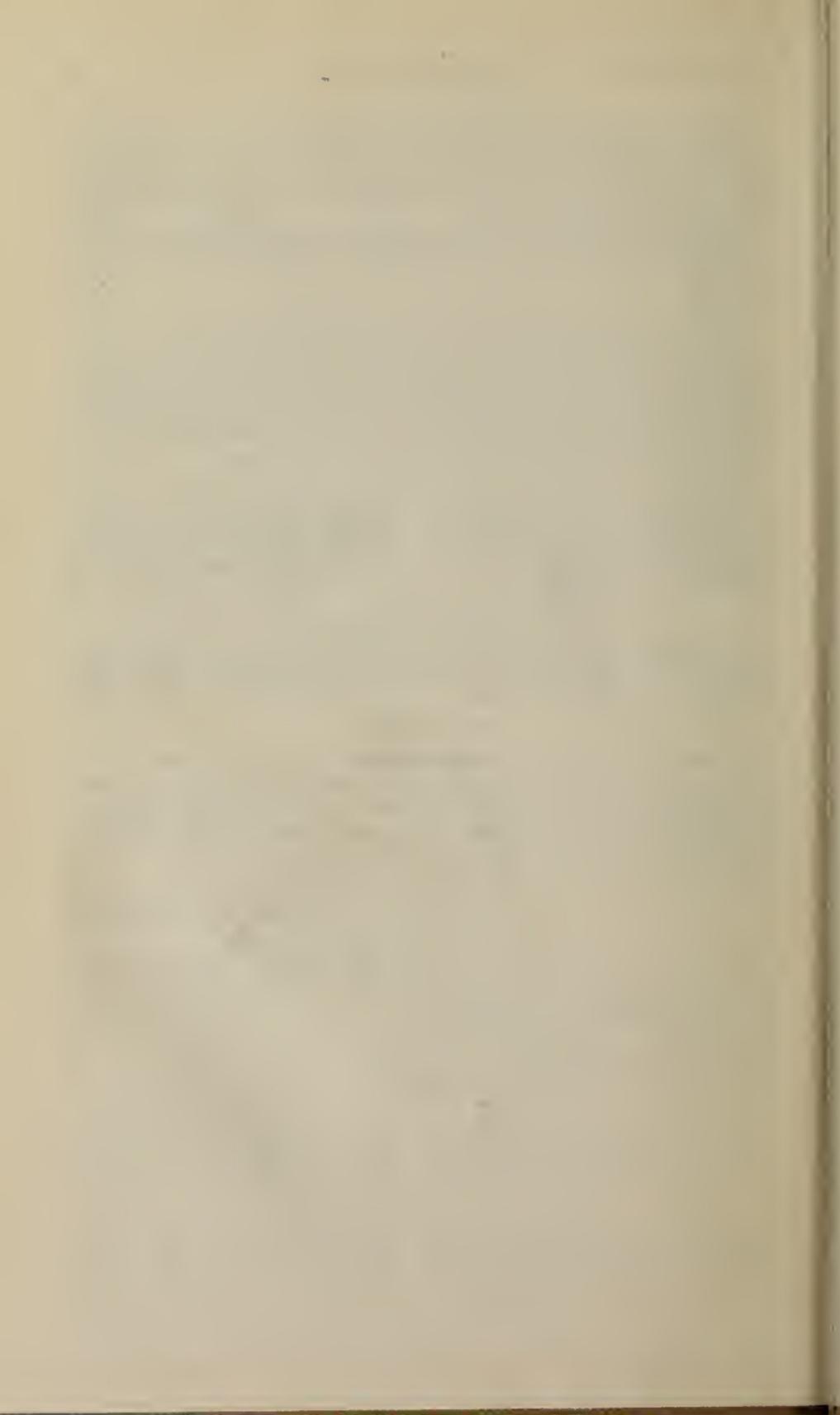
Speaker pro tem. of the Assembly.

L. B. MALLORY,

Chief Clerk of the Assembly.

VINCENT G. GELCICH,

Minute Clerk of the Assembly.



## INDEX.

Journal of the Assembly. Forty-first (extra) Session.

	Page.
<b>ASSEMBLY.</b> Extraordinary session of forty-first	1
officers take oath of office	3
sine die adjournment	61
<b>ATTACHES.</b> Appointments announced	21, 22
Page C. E. Duhain appointed	20
Page John Hayes appointed	25
<b>BARTLETT, A. L.</b> Speaker's ruling appeal	47
<b>BECK, GEORGE.</b> Leave of absence for	46, 55
<b>BILLS, ASSEMBLY.</b>	
1 introduced, 16; recommended, 24; second reading, 24; engrossed, 28; third reading amendment motion rning, 30; third reading amendment printing motion, 33; third reading consideration resumed, 33; third reading debate, 41; passed, 43; Senate amendments concurred in, 50; enrolled, 60; signed by the Governor	59
2 introduced, 16; recommended, 24; second reading, 24; engrossed, 28; third reading amendments motion, 44; passed, 45; passed in Senate, 51; enrolled, 60; signed by the Governor	59
3 introduced, 16; reported, 26; second reading amendments, 27; engrossed, 40; ruled inadmissible	47
4 introduced, 19; reported	54
5 introduced, 19; reported	54
6 introduced, 20; reported	55
7 introduced, 20; reported, 26; second reading, 28; engrossed, 33; ruled inadmissible	48
8 introduced, 20; reported	55
9 introduced, 20; reported	55
<b>SENATE.</b>	
3 referred, 34; recommended, 38; second reading, 39; passed	49
4 referred, 34; recommended, 38; second reading, 38; passed	49
5 referred, 34; recommended, 38; second reading, 38; passed	49
6 referred, 34; recommended, 38; second reading, 39; passed	51
7 referred, 34; recommended, 38; second reading, 39; passed	51
<b>BOUDE, KNOX.</b> Assembly Bill No. 1 vote statement	43
<b>BROWN, HENRY WARD.</b> Assembly Bill No. 2 amendment motion	44
Assembly Bill No. 3 point of order	26
<b>BRUCK, BISMARCK.</b> Leave of absence for	36
<b>BURKE, J. C.</b> Speaker's ruling appeal	48
<b>CHAMBERLIN, H. A.</b> Leave of absence for	46, 55
<b>CHAPLAIN (REV. JAMES WHITAKER).</b> Prayer by	2
<b>COMMITTEES.</b> Notification of organization to Governor	13
sine die adjournment notification to Governor	60, 61
sine die adjournment notification to Senate	60, 61
<b>CONTINGENT EXPENSES.</b> Documents packing and forwarding resolution	39, 59
final calendar printing resolution	53, 57
Minute and Journal Clerks warrant resolution	53, 57
Post Office revolving fund resolution	21
Superintendent of Capitol warrant resolution	54, 58
Sergeant-at-Arms and Minute Clerk warrants resolution	20
supplies, warrant for	54, 58
warrant receipts authorization	21, 59
<b>DENNETT, LEWIS L.</b> Leave of absence for	55
<b>EDWARDS, LAWRENCE.</b> Leave of absence for	56
<b>ENCCELL, HARRY.</b> Leave of absence for	55

